



A
HISTORY
OF
ENGLAND

FROM THE
FIRST INVASION BY THE ROMANS

TO
THE REVOLUTION IN 1688.

BY JOHN LINGARD, D. D.

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ENGLAND

FIRST EDITION

THE REVOLUTION IN 1848

BY JOHN RUSKIN

THE

REVOLUTION

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TO

THE EIGHTH VOLUME.

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HISTORY

OF

ENGLAND.

CHAP. V.

CHARLES II.

CONGRESS AT NIMEGUEN—SECRET TREATY WITH LOUIS XIV.—
DEBATES ON THE LEGALITY OF THE PARLIAMENT—PENSION
FROM FRANCE—INTRIGUES AND CONQUESTS OF LOUIS—OPPOSI-
TION TO THE KING IN PARLIAMENT—PEACE BETWEEN FRANCE
AND THE STATES—GENERAL PEACE—PLOT FORGED BY TITUS
OATES—THE TEST ACT—ACCUSATION OF THE QUEEN—TRIALS
AND EXECUTIONS—PERFIDY OF MONTAGUE—IMPEACHMENT OF
DANBY—PROROGATION.

ON the conclusion of peace with the States in 1674, Charles had offered his mediation to the different powers at war. He proposed that the treaty of Aix-la-Chapelle should be taken for the basis of a general pacification: but the confederates would submit to nothing short of the treaty of the Pyrenees, that France might be again confined within its ancient boundaries; and Louis, proud of his superiority, refused to accept of any

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Congress at
Nimeguen.

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other alternative than to retain his conquests, or to exchange them for an equivalent. With pretensions so contradictory both parties awaited the issue of the campaign, in the hope that some fortunate occurrence might give additional weight to their demands. A whole year (so numerous were the difficulties raised, so opposite the interests to be consulted,) passed away in the arrangement of the preliminaries; the place of meeting, the powers to be admitted, the titles and rank which they were to assume, became subjects of endless discussion; and when at last the congress was opened at Nimeguen, the place proposed by the king of England, it soon appeared that none of the parties (with the exception perhaps of the States-General) sought to bring it to a conclusion. It was the object of Louis to break the confederacy, to negotiate successively with his different opponents, and to obtain by separate treaties, what he foresaw would be refused, as long as the confederates remained united. The emperor and the queen regent of Spain, persuaded that England and Holland would never allow the Netherlands to pass into the possession of France, placed their hopes on the prosecution of the war. They were encouraged by the counsels and influence of the prince of Orange; and all three, instead of attending to the congress at Nimeguen, bent their efforts to draw the king of England, as an ally, into the war. They represented to him that he held the destinies of Europe in his hands, and that, instead of the office of mediator, he might take upon himself to dictate the conditions of peace. He had only to join his forces with those of the confederates: Louis would instantly recede from his lofty pretensions; Flanders would be saved; and a balance of power would be established. Did he allege a want of money? They would grant him a more ample subsidy than he had received from France as an ally. Did he wish to

recover Dunkirk? They would undertake to reduce, and to place it in his hands. But it was in vain that they appealed to his poverty or to his ambition. Experience had taught him a lesson, which he could not readily forget. He knew that to engage in war, was to become a suppliant to the bounty, and a dependent on the pleasure, of parliament¹.

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Ruvigni, the French minister in London, was not blind to this intrigue. When Charles first withdrew from the alliance with Louis, Ruvigni, in the bitterness of his disappointment, charged the king with desertion and ingratitude: but he soon received instructions to abstain from irritating language, to keep the English monarch to his purpose of mediation; and even to offer him, should such an inducement appear necessary, as the price of his neutrality, the same amount of subsidy which he had previously received for his alliance during the war². For eighteen months Charles resisted the temptation: and it was not till the house of commons had returned an unqualified refusal to his request of money, that, despairing of aid from his own subjects, he consented to throw himself into the arms of a foreign prince. In a private conversation between him and Ruvigni it was agreed, that the king of France should pay a yearly pension of 100,000*l.* to the king of England; that the two sovereigns should bind themselves to enter into no engagements with other powers unless by mutual consent; and that each should lend effectual aid to the other in the event of rebellion within their respective kingdoms. The only persons to whom Charles communicated this treaty, were his brother, and the duke of Lauderdale, and the earl of Danby. James made no remark—he had been previously acquainted with the royal purpose—

Secret treaty
with France.

Feb. 7.

¹ Temple, ii. 265, 284, 305, 319, 325, 333, 339, 363. Dalrymple, ii. 118.

² Danby, letters, 2, 5.

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and Lauderdale, according to custom, applauded the wisdom of his sovereign : but Danby, who had deeply engaged himself to the prince of Orange, demurred : he asked time for consideration : his consent, he observed, might endanger his life ; he wished the king would consult the privy council. But Charles cut the Gordian knot with the same facility as he had previously done on a similar occasion. He dispensed with the services and the signatures of his counsellors : he put the treaty in writing with his own hand, and signed, sealed, and delivered it to Ruvigni, who, on his part, engaged to return to him within twenty days a copy of the same treaty signed and sealed by the king of France³. By this secret proceeding both princes obtained their objects ; Charles the money which had been refused by parliament, Louis security that Charles, for some time at least, would not make common cause with his enemies. But the English king, if he possessed the spirit of a man, must have keenly felt the degradation. He was become the yearly pensioner of another monarch ; he was no longer the arbiter of his own conduct ; he had bound himself to consult, with respect to foreign powers, the master whose money he received. Perhaps he might console himself with the notion, that it was less disgraceful to depend on a powerful monarch, from whose alliance he could disengage himself at pleasure, than on the party among his own subjects, which constantly opposed him in parliament : perhaps he felt a malicious pleasure in defeating the machinations of his adversaries, whom he knew to be, in pecuniary transactions, no more immaculate than himself. For it is a fact, that several among those, who claimed the praise of patriotism by their opposition to the court, were accustomed to

³ Dalrymple, ii. 99, 102.

sell their services for money. It seemed as if the votes of the members of parliament were exposed for sale to all the powers of Europe. Some received bribes from the lord treasurer on account of the king; some from the Dutch, Spanish, and Imperial ambassadors in favour of the confederates; some even from Louis at the very time when they loudly declaimed against Louis as the great enemy of their religion and liberties. For that prince, notwithstanding the recent treaty, did not implicitly rely on the faith of Charles: he sought in addition to secure the good will of those who, by their influence in parliament, might have it in their power to withdraw him from his promise of neutrality. Ruvigni was instructed to seek adherents among them, to offer them presents on condition that they should refuse supplies to the king, and to co-operate with them in their attempts to ruin Danby, whom *they* considered as their political enemy, and Louis knew to be the staunch friend of the prince of Orange. His efforts were successful, and, though we have not the means of tracing the progress of the intrigue, we know that he was made acquainted with the counsels and the projects of the party. But Ruvigni was recalled: Courtin succeeded him, and the accounts of Courtin will reveal the names of the patriots who sold themselves to France, and of the price at which their services were valued ⁴.

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During the long prorogation, and with the aid of his foreign pension, the necessitous monarch enjoyed a seasonable relief from the cares and agitation in which he had lived for several years. Age and satiety had blunted his appetite for pleasure, and the enjoyment of ease was become the chief object of his wishes. He retired to Windsor, where he spent his time in the superintendence of improvements, the amusement of fishing,

A season of
tranquillity.

⁴ Brisbane in Danby's Letters, 309, 312, 314, 324. Dalrymple, ii. 110, 111, 129.

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A. D. 1676.

and the company and conversation of his friends. His neutrality in the great contest, which divided the powers of the continent, whatever might be its real motive, found a sufficient justification in the numerous benefits which it conferred on the country. While almost every other nation in Europe complained of the privations and charges of war, England enjoyed the blessings of peace. She was free from the pressure of additional taxation; and knew nothing of those evils which necessarily accompany the operations of armies. Her mariners monopolized the carrying trade of Europe; new channels of commerce were daily opened by the enterprise of her merchants; and their increasing prosperity gave a fresh stimulus to the industry of her inhabitants⁵. It was, however, the care of the popular leaders to keep alive, as far as they were able, the spirit of discontent. Political clubs were established; pamphlets, renewing the old charges against the government, were published; the ears of men were perpetually assailed with complaints of the growth of popery, and of the progress of arbitrary power; their eyes were directed to the theatre of the war on the continent, as the great arena on which the fate of their liberty and religion was to be decided; and the preservation of these was described as depending on the humiliation of France, though France was aided in the contest by the protestant state of Sweden, and opposed by the two great catholic powers, Austria and Spain.

Proclamation
against
coffee-
houses.

The members of the council were not slow to oppose these arts of their adversaries. They had recourse to the press in vindication of their conduct; they warned the people in the

⁵ "The king," says Brisbane in a letter to the earl of Danby, "hath succeeded in the improvement of trade and navigation beyond the hopes of those who talked of it seventeen years ago . . . and now the trade of

England is at such a height, that it is as hard to think it can continue so, as it was hard to believe once it would ever rise to it." 25 June, 1677. Danby's Letters, 315.

king's name against the authors and retailers of false and dis-loyal reports; and they resolved to put down the coffee-houses, as seminaries of sedition, and the constant resort of agents employed to spread among the company libels against the sovereign and the government. Though the owners of these establishments had taken out licences in conformity with the law, it was discovered that the statute made no mention of the time during which the licence should remain in force; and from this omission a conclusion was drawn, that it must be considered revocable at pleasure. The judges, who did not agree, would give no opinion: but the question was argued before the council, and the attorney-general received instructions to prepare a proclamation, ordering all coffee-houses to be shut up; "because in such houses, and by the meeting of disaffected persons in them, divers false, malicious, and scandalous reports were devised and spread abroad, to the defamation of his majesty's government, and the disturbance of the quiet and peace of the realm." The remedy, however, was productive of more mischief than the evil which it sought to abate. It gave a real foundation to charges which before rested merely on conjecture. It was with reason described as an unjust and cruel proceeding towards the occupiers of the houses; as a violation of the right of Englishmen to meet and discuss political subjects; and as an unanswerable proof of the arbitrary projects secretly cherished by the court. Its authors, repenting of their precipitancy, had the prudence to retrace their steps; and, on the presentation of a petition to that effect, a general licence was granted to re-open the coffee-houses, but with this condition, that the keepers of such establishments should prevent in them the reading and publication of libels against the king and his government⁶.

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⁶ Kennet, 307. North, 138. Ralph, 297.

CHAP. V. Another subject of complaint was furnished by the alleged
A. D. 1676. depredations of the French cruizers on the English commerce.

French depredations.

May 31.

In the course of seven months fifty-three sail had been captured and carried into the French ports under the pretence that the ships or their cargoes were Dutch property, which it had been fraudulently attempted to cover with the English flag. Charles, though he looked on this as an unavoidable evil during a maritime war, ordered the most energetic remonstrances to be made at the French court; and Louis, whose interest it was to avoid a quarrel with England, gave orders that justice should be done between the captors and the claimants. Some ships were restored, many were condemned. The sufferers complained; their complaints were echoed by the writers of the popular party; and it was insinuated that the members of government derived advantage from the losses of the merchants. These charges directed the attention of the council to the conduct of Sir Ellis Leighton, the secretary to the embassy in Paris, to whose care the interests of the petitioners had been intrusted. He was once the confidant of Buckingham, and is described as "the most corrupt man of the age." A warrant was signed for his committal to the Tower; but he escaped from the officers, and the charges against him were never submitted to judicial investigation⁷.

Dispute respecting the legality of the parliament.

Preparatory to the opening of the next session, Shaftesbury and his friends arranged a new plan of opposition. It was discovered that what they had so fruitlessly laboured to effect by their own efforts, had been unwittingly accomplished for them by the ignorance or imprudence of the court. The king, it was

⁷ State Tracts, i. Marvell, 325. Kennet, 309. North, 487. Gazette, 1124, 1141, 1150. Correspondence of Clarendon and

Rochester, i. 2. I shall for brevity refer to this collection by the title of Clarendon Correspondence.

maintained, by the long prorogation, had in fact dissolved the parliament. If that assembly did not sit, its existence could be continued only by adjournment or prorogation: now the late parliament had not been adjourned, but prorogued, and that for fifteen months: but such a prorogation was contrary to law, because it was incompatible with two statutes of Edward III., which ordained that a parliament should be held "once a year, or oftener, if need be:" whence they inferred, that, as a prorogation contrary to law was of no effect, the parliament had in fact ceased to exist; it had been suffered to die a natural death. This novel and extraordinary opinion they laboured, by all the artifices in their power, to impress on the minds of the people: it was made the subject of discourse in every company: it was discussed in public and private, in clubs and in drawing-rooms; and men looked forward with intense interest to the debate which it was expected to provoke, at the opening of the approaching session.

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On the appointed day, the 5th of February, multitudes of people were observed at an early hour, hastening to the parliament house; and in a short time Westminster Hall, the painted chamber, the court of requests, the lobbies and avenues, were crowded with strangers. These men, if we may believe one party, had been led there by curiosity to witness the result; but, according to the other, had been brought there from Southwark and Wapping, to intimidate the adherents of the court⁸. Charles addressed the two houses in a speech which elicited the applause even of his adversaries. If, he said, any additional securities were wanted for the church, for liberty or property, he came prepared on his part to assent to every reasonable request: and

Opening of
the session
1677.

Feb. 5.

⁸ North, 66. L. Journ. xiii. 44. James adds that many of them were old officers from the army of the commonwealth. Macpher. i. 84.

CHAP. V. therefore he called on *them* also to do their duty by avoiding
 A.D. 1677. the causes of dissension between the houses, by making provision for the increase of the navy, by continuing the additional excise, and by granting a moderate supply towards the extinction of the public debt. Thus they would promote the peace, the safety, and the prosperity of the kingdom; and, if any of these ends were disappointed, he called on God and man to witness that he at least was free from the blame⁹.

Debate in the
 commons.

In both houses the first question introduced was the effect of the long prorogation. In the commons the popular leaders proceeded with caution. Aware how unpalatable their new doctrine must be to the majority of the members, they contented themselves with suggesting an address for a dissolution, as the most eligible means of setting at rest the doubts which had arisen respecting the legality of their existence as an estate of parliament: but the house, after a long conversation, read a bill the first time according to custom, and postponed the consideration of the question to the following day¹⁰. In the lords the opponents of the court assumed a bolder tone. They promised themselves the support of the duke of York, of the catholic peers, and of all who, at the conclusion of the last session, had voted in favour of a dissolution. Buckingham rose, and in a speech of considerable ingenuity and eloquence contended that the parliament had ceased to exist. As soon as he sat down, lord Frescheville moved that he should be called to the bar for the insult which he had offered to the house. The earl of Salisbury answered Frescheville with warmth and asperity, and was answered in his turn by lord Arundel of Trerice. Shaftesbury and Wharton supported the motion of Buckingham, and Finch,

In the house
 of lords.

⁹ L. Journ. xiii. 36.

¹⁰ Parl. Hist. iv. 825—834. Marvell, i. 278.

who had lately been raised to the higher dignity of chancellor, opposed it in a long and laboured harangue. His assertion that the qualification, "if need be," referred to both parts of the act of Edward III. savoured of special pleading: but he had certainly the advantage over his opponents, when he contended, that by the triennial act of the 16th of Charles I., the vacations of parliament had been extended to three years; and that, if that act had been repealed, another of similar import had been substituted for it, and was at that very moment the law of the land. The debate continued five hours: but, as soon as the proceedings in the house of commons were known, the ministerial lords called for the question; the motion of Buckingham was negatived; and he, with Salisbury, Shaftesbury, and Wharton, were ordered to retract their opinion, to acknowledge that their conduct was "ill-advised," and to beg pardon of the king and the house. On their refusal all four were committed to the Tower, to remain there till they should be discharged by the order of those whom they had offended. This decision had a considerable influence on the debate of the following day in the house of commons, where the popular party found themselves in a minority of 142 to 193 ¹¹.

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The four
lords com-
mitted.

The arbitrary imprisonment of the four peers spread dismay through the ranks of the opposition, while it freed the lord treasurer from the most formidable of his opponents in the upper house. He knew that it was their object to remove him from office, and to force on the king a new administration formed out of their own party: and he therefore made it his policy to defeat their intrigues, by seeking to retain the favour of the

Views of
parties.

¹¹ Parl. Hist. iv. 814—824. Hatsell, ii. App. 5. Life of James, i. 504—507. North, 65. Macpherson, 84. Burnet, ii. 105—109. Marvell, i. 280, 530—532. Buckingham slipped out of the house, but surrendered himself the next day.

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sovereign, and to acquire that of the people. For the first he had only to relieve the royal indigence by competent supplies of money : with a view to the second he had all along displayed an ardent zeal for the suppression of popery, and now obtained permission to bring forward a plan for the security of the established church. His adversaries on the contrary resolved to embarrass all his measures by the obstinacy of their opposition, to cast doubts and ridicule on his zeal against popery, and to urge the popular cry for a war with France, at the same time refusing the necessary supplies, as long as they would have to pass through the hands of a minister, who possessed not the confidence of parliament. These remarks will enable the reader to understand the manœuvres of the two parties during this session ¹².

Bills for security of the church.

1. The securities for the church, which had been devised in a meeting with the bishops at Lambeth, were embodied in two bills, of which the first applied to the succession of a catholic prince, and proposed to enact that on the demise of a king regnant the bishops should tender a declaration against transubstantiation to the new sovereign, and at the end of fourteen days should certify into chancery, whether he had subscribed it or not. If he had not, 1^o. They were empowered, on every vacancy of a bishopric, to name three persons, of whom, unless the king should select one within thirty days, the first on the list should take possession of course : 2^o. The two archbishops were authorized to present to all benefices in the gift of the crown lying within their respective provinces : 3^o. The children of the

¹² Charles in a conversation with Temple acknowledged that among his opponents there were many that meant honestly, but said that "the heats and distempers of late had been raised by some factious leaders, who

thought more of themselves than of any thing else, and had a mind to engage him in a war, and then leave him in it, unless they might have their terms in removing and filling of places." Temple, ii. 411.

king from the age of seven to fourteen were to be placed under the guardianship of the two primates, and of the bishops of London, Durham, and Winchester, and after that age to be attended only by persons approved by the major part of the same prelates. The other bill, under the title of an act for the more effectual conviction and prosecution of popish recusants, provided that all catholics who should enrol themselves as recusants should pay a yearly fine of the twentieth part of their incomes, to form a fund for the support of poor converts to the protestant faith ; and should, on that condition, be exempt from all other penalties except the incapacity of executing any office civil or military, of being guardians or executors, or of entering the court without licence ; that laymen, the perverters of protestants, should have the option of abjuring the realm ; that clergymen, convicted of having received orders in the church of Rome, might at his majesty's pleasure be imprisoned for life, instead of suffering the punishment of treason ; and that the children of catholic parents deceased should be educated in the reformed faith¹³.

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When these bills were transmitted to the lower house, they met with an indignant reception. The first, by admitting the possibility of a catholic successor, tended to subvert the projects of those, who sought the exclusion of the duke of York. They suddenly became supporters of the rights of the crown. The bill, they maintained, despoiled the sovereign of his ecclesiastical supremacy, and vested it in the bishops ; their objections were echoed by the friends of the duke ; and the house, having honoured the bill with two readings, allowed it to sleep

Rejected by
the commons

March 27.

¹³ L. Journ. xiii. 48, *et seq.* Macpherson, 83. Marvell, i. 313, 554—569. Against the first of these bills James and twelve other

peers entered their protests, and lord Stafford his against the second. Journ. 75, 92.

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April 4.

unnoticed during the remainder of the session. The second was treated with less ceremony. Fortunately for the catholics, it had alarmed the prejudices of the zealots, who could not be persuaded that by mitigating the severity, they might ensure the execution of the penal laws. They insisted that the catholic clergyman should continue to be subject to the penalty of death, and the catholic layman to the forfeiture of two-thirds of his property: these were barriers to restrain the diffusion of popery erected by the wisdom of their ancestors, and to remove them would be to concur in the toleration of a false and idolatrous worship. "Is there a man in this house," exclaimed a voice, "that dares to open his mouth in support of such a measure?" A pause ensued; the advocates of the bill were silent: it was accordingly rejected; and as an additional stigma, the cause of rejection, contrary to all parliamentary precedent, was entered on the journals, that the title of the bill meant one thing, and the body another. At the same time they passed and sent to the house of lords a bill devised by themselves, "to prevent the growth of popery," enacting that the refusal to subscribe the test against transubstantiation should be taken for a conviction of recusancy. But the lords resented the manner in which they had been treated; and though the commons sent two messages to call their attention to the bill, declined to give it so much as a single reading¹⁴.

April 13.
May 26.

Grants of
money.

2. When the king received in January a portion of his annual pension from France, the whole sum was immediately devoted to the purchase of votes in the house of commons. The consequence was that, on questions of finance, the minister com-

¹⁴ C. Journ. March 27, April 4. L. Journ. xiii. 114, 126. Parl. Hist. iv. 853, 861. Marvell, i. 285, 314. Both houses, however,

concurred in one point respecting religion, which was the abolition of the writ *de hæretico comburendo*. L. Journ. 120.

manded a majority of about thirty voices. The additional excise, which Charles had mentioned in his speech, was voted to continue for three years, and the sum of 600,000*l.* was granted towards the support of the navy. The French ministers received the intelligence with some uneasiness; for they were aware of Danby's engagements to the prince of Orange, and feared that, with so large a sum of money at his disposal, he might induce the king to join the allies. But they were undeceived by Ruvigni; and the event justified his predictions. Before the bill passed the house, the whole was appropriated to particular purposes, the receivers were instructed to pay the money to certain officers, and these were ordered to render an account of its disposal to parliament. No portion of it was suffered to pass through the hands of the treasurer¹⁵.

3. In February the king of France at the head of a numerous army burst into the Spanish Netherlands, confounded his enemies by the rapidity and complexity of his movements, sate down suddenly before Valenciennes, and in a few days carried that fortress by assault. Every eye was now turned towards Flanders. The novelty of a winter campaign, the success of its commencement, and its probable consequences, created a general alarm: Solinas and Fonseca, the Spanish agents, spared neither pains nor expense to arouse the passions of the people,

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Addresses to
war.

Feb. 22.

March 7.

¹⁵ Dalrymple, ii. 110. C. Journ. Feb. 21; March 2, 9, 11. Marvell, i. 282, 286, 291, 296, 310, 315. Danby's Letters, 309. The commons had made the officers accountable to their house for the money; the lords added an amendment that they should be accountable also to the house of lords. This the commons refused to admit, and the lords after several conferences yielded, but at the same

time presented an address to the king stating, that they had done so, not meaning to give up their right, but waiving it for the moment, that the public service might not be injured by the loss of the bill. L. Journ. xiii. 118, 119. Marvell, i. 318, 322. According to Burnet (ii. 109,) the clause was introduced by the country party for the express purpose of provoking a dispute between the houses.

CHAP. V. and to acquire friends in the parliament¹⁶; and an address was
 A. D. 1677. voted by the commons, praying the king to take such measures
 March 10. as might be necessary to preserve the Spanish Netherlands from
 March 13. the rapacious grasp of the French monarch. Under the influ-
 March 15. ence of Danby the lords proposed the addition to the address of a
 March 17. promise of support from the parliament: but the lower house
 rejected the promise as superfluous, and Charles marked his
 sense of the rejection by this laconic reply, that he held on that
 subject the same opinion as the two houses. The French army
 continued its victorious career. Cambray surrendered; the
 prince of Orange was defeated at Cassel, and the city of St.
 April 1. Omer opened its gates to the conquerors. The cry for war
 April 2. now resounded from all parts of the kingdom; a second address
 was voted; and to this, after a long debate and a division, in
 which the minister obtained a majority of nine voices, was
 appended the promise of support, which had been formerly
 negatived. The king answered that he expected something more
 specific, a grant of at least 600,000*l.* to enable him to take part
 in the war with any prospect of success: but the demand was
 eluded under the pretence that many of the members had left
 town on account of the Easter holidays, and Charles having
 passed the money bills, adjourned the parliament for the space
 of five weeks¹⁷.

Adjournment. During the recess the imperial ambassador received the sum
 of ten thousand, the Spanish ambassador that of twelve thousand
 pounds, to purchase votes in the lower house; and at the same

¹⁶ The king was alarmed at the activity of these men. They informed some members of the house of commons that he had said, "only a set of rogues could have voted such an address as that of the 16th of March." This caused much anger in the house, and

Charles seized the opportunity to arrest them, and send them out of the kingdom. Temple, ii. 401. Marvell, i. 304. Macph. i. 83.

¹⁷ C. Journ. Mar. 6, 15, 17, 29, Ap. 13, 16. Marvell, i. 297, 299, 304, 316, 321, 571—596.

time Courtin, the French envoy, negotiated with the enemies of the lord treasurer to oppose any grant of money to the king. The effect of all these intrigues appeared at the next meeting. Charles, adverting to the assertion of his opponents, that he sought to obtain a supply for purposes of his own, solemnly pledged his word that "they should never repent any trust which they might repose in him for the safety of his kingdom¹⁸." This speech provoked a second address, of which the first part accorded with the policy of the French court, by the positive refusal of a supply before the declaration of war : and the second gratified the wishes of the allies, by praying the king to enter into treaties with the United States and other powers for the preservation of the Netherlands. Charles felt, or affected to feel this address as an insult. On the first part he made no comment : in relation to the second he charged the house with an invasion of his prerogative : they had presumed to dictate to him when, how, and with whom he was to make war : if he were to submit to such an encroachment, he should soon become a mere cipher in the government ; and on that account he commanded both houses to adjourn to the month of July. When the commons returned to their own house, several members rose to contend, that for a compulsory adjournment a special commission under the great seal was necessary : but the speaker exclaimed : "by the king's command this house is adjourned till July 16th." He immediately quitted the chair, and the members separated¹⁹.

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A. D. 1677.

May 23.

May 25.

May 28.

¹⁸ This pledge has been pronounced "one of the most dishonourable and scandalous acts, that ever proceeded from a throne," because he was then negotiating for money with the French ambassador. Now Charles made this speech on May 23, but there is no proof of

the existence of such negociation till after he had been provoked to adjourn the parliament.

¹⁹ Dalrymple, ii. 111. Macph. i. 83. Com. Journ. May 25, 28. Marvell, i. 336, 599—638.

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In this parliamentary contest Charles had certainly the advantage over his adversaries. He had professed himself ready to concur with the general wish of the nation: *they* by their obstinacy had prevented that concurrence, and thus provoked many to suspect the purity of their patriotism²⁰. If we consider the avowed enmity of Danby to the interests of France, we shall see little reason to doubt that the king, if he had received a supply, would have taken this year the same decisive measures which he took the next. It is indeed true that he made to Courtin assurances of his attachment to France, and communications of interesting intelligence: but this might be merely an artifice to procure the quarterly remittance of his pension; and so it was interpreted by the French ministers, who, instead of relying on the royal professions, instructed their envoy in England to keep the king dependent on France for money, by obstructing through the leaders in parliament every proposed grant or supply from his own subjects²¹.

Pension from
France.

The adjournment, however, though it relieved, did not remove their apprehensions. Courtin urged a dissolution or a prorogation till April 1678. Charles demanded an augmentation of his yearly pension to the amount of 200,000*l*. A long negotiation followed. The envoy, though he had been in-

²⁰ "To speak my thoughts concerning that address, I think it hard to believe that the fear of the greatness of France could be the leading motive to it." Brisbane in Danby's Letters, 315. At that time the pointing out the particular alliances to be made was thought by many an encroachment on the prerogative: at the present no man denies that the commons may offer their advice on any such subject.

²¹ One of Courtin's accounts, dated May 5 of this year, is preserved, stating the distribution of something more than 3,000*l*. Dal-

rymple, ii. 314. It is remarkable that of this sum 300 guineas were given to Coleman, who laboured to bring about a dissolution, and 500 guineas to Dr. Carey, a dependent on Shaftesbury, who was under prosecution by the house of lords. A pamphlet, voted to be seditious, and supposed to have been written by Shaftesbury, was traced to Dr. Carey. He refused to give up the author, and was adjudged to pay a fine of 1,000*l*., and to be imprisoned till it was paid. Marvell, i. 286, 288, 546.

structed to consent, if he found it necessary, perpetually pleaded the poverty of the French treasury; and the king, though Montague, his ambassador in Paris, assured him of success, at length condescended to accept the smaller sum of two millions of livres, between one hundred and fifty and one hundred and sixty thousand pounds. Montague remonstrated: Charles repented of his facility, revoked his word, declared to Barillon, the successor of Courtin, that he had not been aware of the difference in the value of the two sums, and, when that minister objected, conducted him to the door, saying, "I am ashamed of the blunder; you must go and settle the matter with the lord treasurer." In conclusion he obtained his demand, with this addition, that the augmented pension should be reckoned from the commencement of the current year ²².

In July the parliament had been adjourned till December, and a promise was given to Courtin that, on the payment of the French pension it should be again adjourned till April. The four lords in the Tower had consoled themselves with the knowledge that they must be discharged at the close of the session. To their disappointment the session by these adjournments was continued. The prospect of a long and indefinite confinement humbled the spirit of Buckingham, Salisbury, and Wharton, who, having in a petition to the king, revoked their opinion, and stated their repentance, obtained their liberty; but the obstinacy of Shaftesbury disdained to submit: he appealed for protection to the law, was brought by writ of *habeas corpus* before

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June 11.
July 26.

Sept. 21.

Oct.

Lords discharged from
the Tower.

June 27.

²² Courtin had received his authority for 200,000*l.* on the 11th of June: and it is probable that Montague discovered it; for on that very day he wrote to the king that, if he had authority to ask, he would engage to procure, an augmentation of the pension to that amount. This letter is important, as it

shows how early, and how anxiously this ardent patriot laboured to indulge the king in his pecuniary dealings with the French monarch. Compare Danby's Letters, 1—37, with the despatches in Dalrymple, ii. 111—116.

CHAP. V. the court of King's Bench, and with the aid of four barristers
A. D. 1677. pleaded his own cause. The judges replied that they could not
June 29. admit him to bail, because he had been sent to the Tower, not
for safe custody, but in execution of judgment: neither could
1678. they grant him a discharge, because, that judgment having been
Feb. 4. pronounced by the house of lords, the case came not within the
jurisdiction of the court, pending the session. Seven months
Feb. 7. later, when the parliament met, the other three lords, having
previously asked pardon, resumed their seats: but Shaftesbury
had sinned more deeply: to the original offence he had added
that of appealing from the judgment of his peers to an inferior
Feb. 27. tribunal, the court of King's Bench, and on that account he was
compelled not only to make the same submission with his com-
panions, but also to crave on his knees forgiveness for this breach
of the privileges of the house. No man can doubt that the
punishment thus inflicted on the four lords originated in a wish
to humble the leaders of an opposite and formidable party.
Danby had then a majority at his nod, and could expound the
law of parliament as he pleased: but in the course of two years
Shaftesbury rose to the high pre-eminence before possessed by
his adversary; and one of his first cares was to procure a vote
1680. pronouncing all these proceedings irregular, and ordering every
Nov. 13. trace of them to be expunged from the journals of the house²³.

Arrival of the prince of Orange. The reader is aware that in the year 1674 the prince of
Orange had very unceremoniously refused the hand of the
princess Mary. Succeeding events had taught him to lament
his imprudence. All the flattering predictions of his advisers

²³ Marvell, i. 348, 355, 359. St. Trials, vi. 1269. North, 71, 73. Harl. MSS. 2202. Correspondence of Clarendon and Rochester, i. 6, 7. Bulstrode, 272. He acknowledged

that "the bringing of the *habeas corpus* was a high violation of their lordships' privileges, and a great aggravation of his former offence." See Hatsell, ii. App. 395—415.

were falsified ; and he discovered that he had given offence to the only prince, who could enable him either to conclude an honourable peace, or to continue the war with any prospect of success. Convinced that it was his interest to seek a reconciliation, he began in the first place by cultivating the friendship of the favourite minister, the lord treasurer ; in the next he condescended to solicit that union, which he had previously rejected ; and, alarmed at the coldness with which the proposal was received, requested permission to come to England, that he might apologize for his past conduct, and explain his views for the future. Charles, partly through a feeling of resentment, partly through jealousy of his connexion with the popular leaders, affected to hesitate ; and, when he gave his consent, made it an express condition that William should leave England before the meeting of parliament. At the close of the campaign he joined his two uncles at Newmarket: the lord treasurer, and Temple who was returned from his embassy, were devoted to his interest ; and their united efforts extorted from the easy monarch his consent to the immediate solemnization of the marriage, though he had previously arranged with James that it should only follow the acquiescence of the prince in their views with respect to the peace of the continent. The duke was surprised and mortified : but, deeming it his duty to submit to the will of the sovereign, he accompanied his brother to the council chamber. Charles announced to the lords that he had concluded a marriage between his nephew the prince of Orange, and his niece the princess Mary, for the purpose of uniting the different branches of his family, and of proving to his people the interest which he took in the security of their religion. “ And I,” added the duke, “ as father of the bride, have given my consent,—a consent which will prove the falsehood of the

CHAP. V.
A. D. 1677.

May 31.

June 11.

Oct. 9.
His marriage
with the prin-
cess Mary.

Oct. 24.

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charges so often made against me, that I meditate changes in the church and state. The only change which I seek, is to secure men from molestation in civil concerns on account of their opinion on religious matters ²⁴."

Conferences
respecting
peace.
Nov. 4.

This marriage gave universal satisfaction ; and during the festivities with which it was celebrated at court, close and frequent consultations were held respecting the conditions which ought to form the basis of a general peace. But on these occasions the uncle and the nephew met with secret feelings of jealousy and resentment, the prince attributing the preponderance of France to the apathy of the king, the king to the obstinacy of the prince : the one insisting with vehemence that Franche-compté should be restored to Spain ; and the other as warmly contending that such a demand would oppose an insuperable obstacle to the attainment of peace. At length William relented : the interests of his ally were sacrificed to the acquisition of a sufficient barrier between France and the United Provinces ; and both parties agreed to propose the following project of a treaty to the powers at war : that Holland and France should mutually restore the conquests which they had made ; that the empire and France should remain *in statu quo* ; that the duchy of Lorraine should be restored to the duke, the rightful sovereign ; and that Louis should keep possession of the places and countries which he had won from Spain, with the exception of Ath, Charleroi, Oudenarde, Courtrai, Tournai, Condé, and Valenciennes, which towns should be restored, to form a chain of fortresses separating the new acquisitions of France from the ancient boundary of the republic. Charles acknowledged that the ambition of Louis ought to be satisfied with these terms : he

²⁴ Danby, Letters, 130—150, 285. Temple, ii. 419, 421. James, i. 508—510. Dalrymple, ii. 126.

even undertook to propose them to the acceptance of that monarch, and to require an immediate and positive answer: but no arts of the prince could draw from his uncle an engagement to join his forces with those of the confederates in the event of a refusal²⁵.

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The king felt the awkwardness of the new character which he had assumed. Hitherto he pretended to no other office than that of mediator, now he took upon himself to arbitrate between the contending powers. He was bound by secret treaty to Louis; he received from him a yearly pension; he had been in the habit of making to him protestations of gratitude and friendship: and yet he was about to dictate conditions of peace which would arrest that monarch in his career of victory, and tear from him a valuable portion of his conquests. Having selected lord Feversham for the mission, he gave him instructions to deliver his message in the least offensive manner; to state that the restoration of the seven towns was a condition from which nothing could induce the prince of Orange to recede; that it was considered necessary for the preservation of Flanders, to which Louis himself had given up all pretensions; that the people of England were so deeply interested in the fate of that country, that the king should "never live at ease with them," if he were to suffer it to be annexed to France either by war or treaty; that, as the parliament had already compelled him to withdraw from his alliance with Louis, so it was to be feared that it might at last force him into a war against

Charles proposes terms to Louis.

Nov. 10.

²⁵ James, i. 510. Danby, 152—156. Temple, ii. 422. Temple, indeed, affirms that the king pledged himself to make war in case of a refusal on the part of Louis (p. 426). It is, however, evident from the letter of Danby to the prince of Dec. 4th, that up to that day no such pledge had been given

(p. 162). It may be, that Temple writing from memory has occasionally confounded dates and circumstances. Danby writing at the time, and to the prince, respecting a negotiation in which they were both engaged, could not be in error.

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that monarch ; and that, should the project of peace be accepted, the acquiescence of the French king in that point “ would remove all accidents that might obstruct the existing friendship between the two crowns.” Feversham proceeded to Paris ; and, as he had nothing more in command than “ to desire the most Christian king’s judgment on the proposal,” it was expected that he would not be detained above two days : but a fortnight passed without any tidings of his return, and the prince of Orange was compelled by despatches from the continent to hasten back to the theatre of war²⁶.

Nov. 28.

Answer of
Louis.

In the French cabinet Colbert argued warmly in favour of the project ; Louvois, who spoke the sentiments of his sovereign, contended for the prosecution of the war. After several delays Feversham received this answer, that Louis had read the proposal with surprise : that to call on him to surrender the seven fortresses was as unreasonable as to amputate a man’s feet, and then bid him walk ; but that, in proof of his moderation, he would consent to a truce for all the towns, whether they belonged to Spain or Holland, which were situated between the Meuse and the sea, according to the demarcation of 1668²⁷. The envoy returned ; and the next post brought advice that in defiance of the season the French army had taken the field, and had invested Guislain, which was expected to fall in a few days. Such conduct irritated the pride of Charles : he ordered the adjournment of parliament to be shortened from April the 4th to

Nov. 30.

Dec. 3.

²⁶ The instructions for lord Feversham have been published by lord John Russell, in his life of William lord Russell, ii. 218—224. They show how incorrect Temple is in his statement of the terms to be proposed by Feversham to Louis.

²⁷ Danby, i. 161. By the treaty of April 5, 1668, an imaginary line was drawn from

Ostend through Ghent, Rupplemond, and Mechlin to Argenteau, and it was agreed, in the event of a refusal to make peace on the part of Spain, that England and Holland should make conquests on the north, and France on the south, of that line. See Dumont, vii. 89.

January the 15th²⁸; and compelled Montague, the ambassador, who had obtained leave of absence, to return in all haste to Paris. He was instructed to express the surprise of the king, that the epithet “unreasonable” should be applied to an arrangement, which was necessary for the preservation of Flanders; his apprehension that the rejection of the project would compel him to adopt measures which it was his most anxious wish to avoid; his persuasion that the sacrifice demanded of Louis was trifling in comparison with the risk which he himself must encounter from the discontent of his subjects; and his intention of meeting his parliament before the French army could have time to extend its conquests in Flanders²⁹. On the same day Charles sent directions to Hyde, the ambassador at the Hague, to propose to the States a new treaty after the model of the triple alliance, by which the two powers should be bound to each other, not only to defend themselves against all aggressors, but also to declare war, England against France, the States against Spain, if either France or Spain should reject the proposed treaty of peace. The prince of Orange received this intelligence with feelings of astonishment and triumph. He had not expected such a demonstration of vigour from the indolence of his uncle: his influence soon obtained the consent of the States-General; and in a few days

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Dec. 4.

Dec. 11.

²⁸ That this was the real cause is plain from the instructions to Hyde and Montague. Danby, 161, 327. Life of Lord Russell, ii. App. 225. The shortening of the adjournment could not have proceeded, as Dalrymple asserts, (p. 128,) from resentment on account of the stoppage of the French pension: for the first took place on Dec. 3, the latter on Dec. 17. Neither is Dalrymple more correct in his account of the manner of adjournment. The king announced by proclamation that the attendance of distant members on the

3rd of December would be unnecessary, as the house would meet only to adjourn to the 4th of April; on account, however, of the change of circumstances, when they did meet, they adjourned at the king's request only to the 15th of Jan. Journals, Dec. 3, 1677.

²⁹ See Life of William lord Russell, ii. App. 224—227. Montague's message was taken by Louis and Louvois as conveying a threat of hostilities to follow. Danby, 41, 42.

CHAP. V. the new treaty was concluded, with the full but unavowed
A. D. 1677. sanction of the Spanish government at Brussels ³⁰.

Dec. 31.

Who seeks to
bribe the king
and his mi-
nisters.

Anxious as Louis had always been to prevent the union of Charles with his enemies, yet he did not suffer the apparent hostility of the English king to withdraw him from his purpose.

1. A long time must necessarily elapse before the British troops could take the field. They were not yet levied, nor had any vote of credit been passed for their support. But a fleet might soon be formed of the ships in actual service; and therefore, as a measure of precaution, he despatched secret orders for the evacuation of Sicily, and the immediate return to France both of his army in that island, and of his naval force in the Mediterranean ³¹. At the same time he sought to damp the military

Dec. 17.

ardour of his English brother, first, by suspending, though with many apologies and expressions of personal esteem, the payment of the yearly pension, of which 50,000*l.* was actually due; and

Dec. 19.

then by proposing a general truce for twelve months, during which expedients might be devised to satisfy every interest. He assured Montague that no consideration would ever induce him to part with Condé, Valenciennes, and Tournai; and left it to his minister to add that, if Charles could prevail on the prince to consent to the cession of those places, their full value should be paid to the English king in bars of gold concealed within bales of silk, and any sum which the lord treasurer might name as the reward of his services should be remitted to him in

³⁰ Danby's Letters, 161, 162, 166, 326. Dumont, vii. 341. C. Journ. May 2, 1678. In the treaty both powers agreed to compel jointly France and Spain to consent: but in article ix. the States assert that they have sufficient assurance of the consent of Spain (*satis certi sunt*), so that the treaty was in reality directed against France alone. Yet

this very important point is concealed in the abstract of the treaty entered on the journals.

³¹ J'envoyai le maréchal de la Feuillade avec ordre de ramener les troupes, et je lui ordonnai de s'y préparer avec tant de secret et de diligence, que l'union de l'Angleterre avec mes ennemis ne rendît pas leur retour impossible. Œuvres de Louis, iv. 143.

the shape of diamonds and pearls. As another inducement a hint was thrown out of a marriage between the dauphin and Mademoiselle d'Orleans, the niece of Charles, with the remark, that the interests of that young lady ought to be as dear to her uncle as those of his nephew William. Montague (if he had not already tasted of the bounty of the French king, he had at least received a promise of remuneration) was careful in the letter which conveyed these proposals, to paint them in the most inviting colours³². But the king proved himself superior to temptation. On the one hand he was kept steady to his purpose by the representations of Danby, who ardently wished to provoke a war with France, on the other by the duke of York, who warmly espoused the quarrel of his son-in-law, and flattered his own ambition with the hope of reaping an ample harvest of military glory. At the duke's suggestion instructions were sent for the return of the English troops serving in the pay of France; a strong squadron sailed to the Mediterranean to reinforce the fleet under sir John Narborough, commissions were issued for the completion of the old and the raising of new regiments, and possession of the port of Ostend was demanded from the Spanish government as a depôt for the use of the English army in Flanders³³.

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2. But besides the sovereign there existed another power, with which Louis did not think it beneath his dignity to negotiate. The marriage of the princess Mary had convinced the popular leaders that the prince of Orange had abandoned their party. Some of them without delay sought the ear of the French ambassador; a new plan of opposition was devised; and at his suggestion it was resolved to attribute the recal of the

And intrigues
with the po-
pular party.

Nov. 3.

³² Dalrymple, ii. 128. Danby, 40, 45, ³³ Danby, 58, 171, 174, 176, 190. Dalrymple, 145.

CHAP. V. English troops from the French service (a measure which they
 A. D. 1678. themselves had repeatedly recommended in parliament) to an
 intention on the part of the king of rendering himself absolute
 with the aid of a standing army. With these men Barillon was
 ordered to continue his connexion : but several, and those the
 most influential, stood aloof ; and to them the younger Ruvigni
 was despatched from Paris, as a more acceptable instrument,
 on account of his relationship to lady Vaughan, and his intimate
 acquaintance with the family of Russell³⁴. On his arrival he
 waited on the king and the lord treasurer, to acquaint them that
 an equivalent might perhaps be accepted for Condé and Valen-
 ciennes, but never, in any circumstances, for Tournai. In a
 private audience with Charles, he made to him the most liberal
 offers of pecuniary assistance, and begged him to be on his
 guard against the pernicious counsels of Danby, who sacrificed
 the interests of his sovereign to his own desire of popularity.
 To Danby himself he repeated assurances of the high esteem
 in which he was held by the French monarch, and expressed a
 hope that the minister would employ the influence which he so
 deservedly possessed both with the king and the prince, to
 extinguish rather than foment animosities and resentments.
 Finding, however, that his arguments and eloquence made no
 impression, he sought and obtained several interviews with lord
 Hollis and lord William Russell. The latter he found open and
 communicative ; the former was cautious and reserved, but a most
 bitter enemy of the court. Both seemed to apprehend that there
 might exist a secret and collusive understanding between the

³⁴ Ruvigni was instructed to apply first to the king, and then, if he failed of success, to lord Russell. He came about the middle of January, returned to Paris on the 8th of February, and came back before the end of

the month. Whether he explained himself to Hollis and Russell in his first visit is uncertain. The interviews mentioned in the text are detailed in a memoir of Barillon of the 4th of March.

two monarchs; that the present appearance of dissension was assumed merely as a feint to furnish Charles with the pretext of demanding a supply, and that the articles of peace were already settled, and would be made public as soon as the money bill should be passed. But when this cause of jealousy was removed, *they* agreed to append to the supply conditions which should render it unacceptable to the king; to bring forward charges against the lord treasurer and his friends; to harass the duke of York and the catholics with the proposal of new disqualifications; and to employ every means in their power to provoke the king to adjourn or prorogue the parliament; and Ruvigni, on the part of his sovereign, promised, that, if by their opposition Charles were compelled to renew his connection with France, Louis should employ all his influence to procure a dissolution of parliament, and the ruin of the lord treasurer, two objects equally desired, as equally conducive to their interests, both by the popular party and the French monarch. There is no reason to suppose that Hollis and Russell were betrayed into this dangerous and illegal intrigue by pecuniary considerations. It was with them the effect of party zeal and political resentment; and when Russell was asked by Ruvigni to point out the persons among whom he should distribute the large sum which he had brought with him from France, that nobleman indignantly replied, that he should be sorry to have communication with men, who were to be bought with money. His friends, however, were less scrupulous, and it will subsequently appear that several of them accepted valuable presents from the French monarch ³⁵.

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3. From England Louis turned his attention to the Hague. And with the Dutch.

³⁵ Dalrymple, 129—136. Danby, Letters, 50, 53, 56, 59.

CHAP. V. In the united provinces there was scarcely a man who did not
 A. D. 1678. wish for a separate peace. Even those who opposed it in the States, were not restrained by principles of honour, but by the ascendancy possessed by William, who still refused to hear of any proposal, by which his allies should be abandoned to the resentment of their enemy. But, since his marriage into the royal family of England, his influence had been on the wane ; and his countrymen began to suspect the object of his connexion with a monarch, whom of all men they considered as their most bitter enemy. To strengthen this impression the French ambassador was plentifully supplied with money, and his agents were instructed to throw out insinuations against the patriotism of the prince, to attribute his obstinacy in opposing a separate peace to his love of military command, and his frequent intercourse with the English court to a joint design of establishing arbitrary power, both in England, and in the Netherlands. The advocates of peace rapidly multiplied : their numbers encouraged them to speak in a bolder tone, and the prince saw that without some very important change in affairs, he should be no longer able to control the general wish of his countrymen ³⁶.

Opposition in
 parliament.
 Jan. 28.

When the parliament met, Charles informed the two houses that he had made an alliance defensive and offensive with the States for the protection of Flanders ; that having failed in his efforts to procure peace by fair means, he would endeavour to procure it by force ; that for this purpose it would be necessary to put ninety sail of ships in commission, and to raise thirty or forty thousand men, and that he therefore expected from his faithful subjects a prompt and plentiful supply, which they were at liberty to appropriate to particular purposes in the

³⁶ Danby's Letters, 206, 254, 329, 351. Temple, ii. 427.

most rigorous manner that could be devised. The popular leaders dared not directly oppose this demand:—for they had been the most clamorous among the advocates of war³⁷—but to the address of thanks for the royal speech they artfully appended two very popular but unpalatable requests, that the king would never consent, and would bind his allies never to consent, to any peace, which did not confine France within the limits formerly settled by the treaty of the Pyrenees; and that he would make it a condition of the confederacy, that all commercial intercourse with France should be prohibited, and all articles of French growth or manufacture should be destroyed wherever, either by land or sea, they might be found. Charles commented on this address with great severity of language. He had complied with their request of the 20th of May by making an alliance with Holland; but they seemed to have forgotten their promise of supplying him with money to accomplish the object of such alliance; and had again invaded his prerogative by prescribing to him the conditions to be inserted in treaties; but they should know that he held the reins of government in his hand, and would continue to hold them for the safety of his people and himself. In addition they presumed to interfere with the commercial regulations of foreign and independent governments which must be provoked by such interference, and to dictate the terms of a future peace, as if they possessed a knowledge of the future contingencies of war; and this too at a time, when not a ship, a regiment, a single penny had been voted to enable him to support the language which they wished him to

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Jan. 31.

Feb. 4.

³⁷ Ils disent qu'ils n'ont jamais prétendu s'opposer ouvertement à donner de l'argent au Roi; que ce seroit le moyen de s'attirer la haine du peuple, et le reproche de tout ce qui pourroit arriver dans la suite. Dalrym. 134.

James, in a letter of Feb. 5, observes to the prince, that "those who seemed to be most zealous for a war with France last session, are those who obstruct most the giving a supply." Ibid. 147.

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Feb. 5.

assume. In the debate which followed, the country party maintained that they dared not grant money for the support of an alliance, the conditions of which had not been communicated to the house: but the minister obtained a majority of forty-two voices, and a supply was voted in general terms for the maintenance of a fleet of ninety sail, and an army of thirty thousand men³⁸.

Charles
makes a new
proposal.

The extraordinary conduct of the house of commons induced the king to reflect seriously, before he suffered himself to be irrevocably drawn into the war. The French troops were already in motion: it was plain that his opponents, if they could not prevent, would at least retard the supply, till it should be too late for him to influence the events of the campaign: the States not only talked of a separate peace, they refused to furnish their quota of ships to the combined fleet, and Villa Hermosa declared that a pacification on any conditions was better to Spain than the continuance of the war³⁹. Charles began to hesitate: new expedients suggested themselves to his mind; and he resolved to make another effort to procure a peace. As France had expressed a willingness to restore Condé and Valenciennes, the single town of Tournai constituted the principal subject of dispute; and the king persuaded himself that Louis might be brought to accept, William to yield, Charlemont in its place. With this proposal he despatched Ruvigni to Paris, Godolphin to Holland; but with the intimation that the suggestion proceeded from himself, that he still intended to abide by the determination of his nephew, and that he should consider the investment by the French of any Spanish town before he received an answer, as a declaration

Feb. 8.

³⁸ C. Journ. Jan. 28, 31; Feb. 4, 5. Parl. Hist. iv. 896, 915—925.

³⁹ See the instructions to Godolphin, Danby's Letters, 346.

of war against England. The reply of Louis was probably evasive, that of the prince of Orange, who had been privately instructed by Danby, a direct refusal⁴⁰.

While the projects of Charles were paralyzed by doubts and jealousies, Louis displayed a spirit of enterprize, which astonished, and ultimately subdued his enemies. About the end of January he proceeded from Paris to Metz, and every eye was directed to the armies on the Rhine: in a few days Namur, and then Mons were invested, and the prince of Orange and the Spanish generals hastened to the protection of these fortresses: next Louvois approached Ipres, and its numerous garrison was confined within its walls: at last the marshal d'Humières with a large division sat down before the important city of Ghent, the real object of all these movements: in three days the king arrived in the camp; the trenches were opened, and the inhabitants capitulated. Soon afterwards Ipres fell, and Louis satisfied with these conquests, engaged to undertake no military operations during two months. He had opened a road into Holland; he had placed himself in a situation to insult at any hour Brussels, the seat of the Spanish government, and he paused to ascertain what impression this change of circumstances might make on the confederates⁴¹.

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Louis takes
Ghent and
Ipres.

Jan. 29.

Feb. 14.

Feb. 19.

Feb. 22.

Feb. 27.

March 15.

⁴⁰ Ibid.: also p. 197, 204. Dalrymple, ii. 147, 148. Clarend. Corresp. i. 5. On Feb. 8th, Danby wrote to the prince that "there was no cause to fear any alteration in the king: but that, if his highness did not approve the having such conditions offered to France, he might be confident he should hear no more of them." Dalrymple, ii. 156. It is probable that this letter was written by the king's order: for the next day, Danby writes a second letter, which he desires may be burnt, exhorting the prince to refuse the proposal, and instructing him to return two answers, one private for the minister himself,

and another fit to be shown to the king. Danby, 197—9. In this second letter he says, that in parliament "all doubt whether his majesty will go freely into war, and *not without cause*:" words whence some writers have not hesitated to infer that Danby thought the king insincere in his present professions. To me, however, it appears from the whole context of his despatches that he does not charge him with insincerity, but fears that the offers and persuasion of the French envoy may induce him to have recourse again to negotiation. See also p. 363.

⁴¹ Louis, iv. 123—162.

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Proceedings
in parliament.
March 8.

In England the reduction of Ghent provoked a general cry for war. The house of commons hastened to pass a bill, imposing a poll-tax as part of the supply ; but the popular leaders were careful to encumber it with provisoes thought to trench on the lawful authority of the crown, and to take from its value by the introduction of a clause, which prohibited the importation of French commodities, and consequently lopped off one of the most productive branches of revenue. It was expected that Charles would resent this artifice ⁴²: but, guided by the counsels of his brother and the lord treasurer, he silently accepted the bill, despatched three thousand men to Ostend, and issued levy-money to twenty colonels, each of whom bound himself to raise a regiment of one thousand men in the space of six weeks. His adversaries in parliament were surprised at his vigour, but did not relax from their efforts to embarrass his proceedings.

March 14.

Lord Russell inveighed with warmth against popery, and a standing army ; Sir Gilbert Gerard hinted a suspicion that, if the new regiments were raised, they would be employed, not against the enemy, but the liberties of the country ; a committee was appointed to inquire into the dangers with which the established church was threatened by the growth of popery ; and

March 15.

an address was voted, praying the king to declare war without a moment's delay, to dismiss the French envoys, and to recal his own commissioners from the congress at Nimeguen. The object of the supply, and the tone of this address provoked Ruvoigni and Barillon to expostulate with their friends, the former with the lords Russell and Hollis, the latter with Buckingham and Shaftesbury. They all returned the same answer,

⁴² Charles adverted to this artifice in the next session, and declared that, if such innovation were continued of "tacking together" matters of a different nature in the same bill,

"that bill should certainly be lost, let the importance of it be never so great." C. Journ. 23 May, 1678.

that they had violated no pledge: that to oppose the grant of money would have been dangerous, but they had clogged it with conditions most offensive to the king; and that in moving the address they had sought to draw from him the disclosure of his real intentions, an object not more beneficial to themselves than to the French monarch: for, were he once with the aid of an army to secure the persons of his political opponents, he would be able to obtain from a servile parliament whatever aid he might demand for the prosecution of the war. Lord Russell carried up the address to the house of lords for their concurrence: but they contended that it would be folly to plunge the nation into hostilities without some previous knowledge of the intentions of the allies. A conference followed: neither house was convinced by the other; and the lords in conclusion returned a direct refusal⁴³.

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March 27.

The fact was that the success of Louis had subdued the obstinacy of the confederates. The emperor, the queen of Spain, the prince of Orange acquainted the king by their ambassadors that they no longer objected to the cession of Tournai, and in addition of Valenciennes, if France would restore the other five towns, and with them her recent conquests⁴⁴. Charles received the information with joy: of the acquiescence of Louis he entertained not a doubt, and instantly devised a plan of providing for his own interests, while he seemed to consult only those of the allies. Calling for Danby, he compelled him to write to the ambassador at Paris the celebrated

New project
of peace.

March 17.

March 25.

⁴³ C. Journ. Feb. 18; March 8, 15, 22. L. Journ. xiii. 186, 192, 196. Parl. Hist. iv. 940—956. Barillon, 134, 137.

⁴⁴ M. le duc de Villa Hermosa a répondu qu'il acceptera les conditions. . . . Pour nous, nous ferons de même, et ainsi voilà la paix faite,

si la France continue à la vouloir sur ce pied; de quoi je doute fort. The prince to Danby, March 17, p. 214. See also Danby's Letters (Ibid. 210); and Hyde's from the Hague, Ibid. 329.

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April 1.

letter, which at a subsequent period led to the disgrace and ruin of that minister. By it Montague was told that in the official despatch he would find instructions to do nothing more than sound the disposition of Louis in respect of these terms ; because it was necessary to keep secret the real object of the king. He was, however, to make the proposal, and to pledge the word of his sovereign for the consent of Spain and the States. If it were rejected, he was to add nothing more ; but if accepted, to demand for Charles, as the reward for his good service, a pension of 600,000 livres during the three following years. A postscript was added in the hand of the king : " this letter is writ by my order, C. R.⁴⁵ " By Louis the offer was refused without hesitation : it came, he said, too late : his recent successes entitled him to greater advantages ; he might, indeed, restore Guislain and Ghent, but he would retain Ipres ; and he had given instructions to his envoys at Nimeguen to make an almost similar proposal to the confederates, by which, however, he should not hold himself bound unless it was accepted by a certain day. Charles was disappointed and offended : his warlike spirit revived, and he suggested to the foreign ministers at his court the conclusion of a quadripartite alliance, which he would follow up with a declaration of war. The Spanish

⁴⁵ Danby, 70—76. The facts that the bill for the poll-tax received the royal assent on the 20th, and that the king proposed terms of peace to Louis on the 25th, have induced most writers to charge him with deceit, with pretending hostility to France till the money was voted, and then seeking a peace, that he might put the money in his pocket. But attention to dates and events will not justify the inference. It was not before the 14th of March that the bill passed the lords, when it was known that a strong inclination to make peace existed in the Dutch and Spanish councils. On the 15th the two

houses informed the king that they had provided money, and wished him to declare war without delay. He waited four days before he returned an answer, expecting probably certain intelligence from the continent. It did not, however, arrive, and on the 19th he promised to pass the bill, which he did the next day. The prince of Orange wrote his answer, stating that all parties would accept the conditions formerly proposed, on the 17th, which would reach London between the 20th and 25th, and on the receipt of this answer, the king ordered the proposals to be sent to Montague.

ambassador and the Imperial envoy assented with joy, but the Dutch hesitated: he had neither powers nor instructions, and dared not act without them⁴⁶. That he might have time to consult the States, the parliament, which had met after the Easter recess, was adjourned for a fortnight, and in that interval Van Beuningen received the necessary powers, but without any instructions for his guidance. It was before suspected, it now became manifest, that the States would enter into no engagement, which might throw obstacles in the way of a separate peace. Before a few days were passed, they voted a resolution to accept the terms offered by France.

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April 15.

April 29.

On the meeting of parliament, the lord chancellor, by order of the king, explained to the two houses the past course and the present state of these negociations, and in conclusion solicited their advice with a promise that it should be faithfully followed. But the popular leaders had not forgotten their engagement to the French ambassador⁴⁷. They induced the house to listen to a long and tedious report from the committee for religion, which had discovered that a dozen catholic priests resided in the counties of Hereford and Monmouth, and that the laws which gave two-third parts of the estates of catholic recusants to the crown, were often evaded by means of secret trusts and conveyances. This was sufficient; the alarming intelligence awakened the fears of the godly and the credulous: and a resolution was passed, that the house could not, consistently with its duty, lay any additional charge on the people, till the kingdom was "secured, and the dangers were prevented, which might arise from the prevalence and the countenance

Refusal of a
supply.
April 29.

⁴⁶ Dalrymple, 155. C. Journ. App. 29. The next day Danby complains to the prince — "I do from my soul believe that our parliament and your States contribute more to the

service of the French king, than the best army he has could do." P. 219.

⁴⁷ See p. 29.

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A. D. 1678.

given to the popish party⁴⁸." When the king heard of this vote, so unfounded in fact, and so insulting to his government, he burst into expressions of astonishment and indignation; he saw that the object of its authors was to fortify themselves with the passions of the people, and to connect the refusal of supplies with the security of religion; and he openly charged with deception those among his counsellors, who had urged him to enter into war on the ground that he would meet with the co-operation of parliament. There remained, he said, but one resource for himself. The confederates were willing to accept the terms offered by France: they should have his assistance; and he would demand money for concurring in the accomplishment of a pacification, which would equally be accomplished without his concurrence.

- May 1. With this view he wrote a conciliatory letter to Louis, and ordered the lord treasurer to commence a negociation with the French ambassador. The subsequent proceedings of parliament served to confirm him in his determination. The commons voted an address for the removal of the Duke of Lauderdale, pronounced the alliances lately concluded by the king inconsistent with the good and safety of the kingdom, advised him to comply with their previous addresses, and prayed him to banish from his presence the counsellors who had induced him to reject their first advice. Charles on the other hand informed them that without a prompt supply a portion of the fleet must be laid up, and a considerable reduction be made in the army. After some debate they refused to consider the subject; and the king sending for them to the house of lords
- April 29.
- May 11.
- May 13.

⁴⁸ The evidence, on which this vote was founded, occupies five folio pages in the printed journals, under the date of April 29, and deserves attention, as it shows what

trifles may serve to raise the fiercest ebullitions of religious animosity under the management of bold and artful leaders.

prorogued the parliament, but only for the short space of ten days⁴⁹. CHAP. V.
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Louis, in the mean time, aware of the impression which his victories and his emissaries had made on the public mind in Holland, despatched a letter of the most pacific tendency to the States, and awaited their reply in his camp at Wetteren, on the right bank of the Scheld. They immediately consulted the English, Spanish, and Imperial ambassadors, who, by the secret advice of the prince, returned for answer that they ought to abide by their engagements, and refuse to negotiate unless it were in company with their allies. But Louis had already won a separate peace by the capture of Ghent⁵⁰. The desire to remove the French army to a distance from the frontier, aided by the distribution of French gold, bore down all opposition; and the prince himself, warned of the unpopularity of his resistance, and driven to despair by the recent conduct of the English parliament, gave a tardy and reluctant assent. The States
agree with
France.
May 6.
May 11.
May 13.
May 22.

Van Beverning proceeded to the French camp, and an armistice was concluded to allow time for the discussion of the articles of peace⁵¹.

That he might not be disappointed of his object by the interference of England, Louis commissioned Barillon to make a Charles con-
cludes a
secret treaty.

⁴⁹ Temple, ii. 434. Louis, iv. 163. Dalrymple, 172. C. Journ. App. 29; May 4, 7, 8, 10, 11, 13. The parties were so equally balanced, that the fate of every question seemed doubtful. The vote for an address against Lauderdale was carried by a majority of 45. On the next day the address itself was rejected by a majority of six, and on the following it was inserted as an amendment in another address by a majority of eight.

⁵⁰ Sa prise a forcé mes ennemis à la paix, les mettant hors d'état de soutenir la guerre. Louis, iv. 146. Some of his council thought

it beneath the king to solicit peace: mais, he adds with great complacency, le bien public, se joignant à la gloire de me vaincre moi même, l'importa. Ibid. 163.

⁵¹ Ibid. 165, 166. Temple, ii. 437. Clar. Corresp. i. 17. Danby's Letters, 254, 338, 341, 358. "The prince said to me alone, that finding the distractions and divisions increase every day in parliament, was that which did most of all discourage him from struggling any longer against the inclinations of this whole country to the peace." Godolphin to Danby, May 14. Ibid. p. 361.

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new offer to Charles. Danby no longer advised hostilities—he was deterred by the visible reluctance of the confederates, and the violence of his political enemies—the duke of York sacrificed his ambition of military glory to his fear that a war would enable the popular party to make new inroads on what he deemed the legitimate authority of the crown⁵²; and Charles readily subscribed a secret treaty, by which it was stipulated, that, unless the States signified their formal acceptance of the terms offered at Nimeguen within the space of two months, the English king should withdraw his forces from the continent with the exception of three thousand men, to form the garrison of Ostend, and should receive from Louis in return the sum of 6,000,000 livres (450,000*l.*) by four quarterly instalments. Barillon, however, was not forgetful of his engagement with the popular leaders, and therefore made the first payment depend on two important conditions, the prorogation of parliament for four months, preparatory to a dissolution, and the reduction of the English army to the small force of six thousand men⁵³.

Second refusal of a supply.

May 23.

May 27.

May 28.

The moment the parliament met, the altercation between the king and the commons was revived. The latter proposed in an address to the throne, that war should be declared, or the army be disbanded, without delay. Charles replied that in one case he might be left to fight without allies, in the other his allies might be compelled to fight without his assistance. *They* resolved that all the forces levied during the last seven months “ought to be paid off and disbanded *forthwith*,” and voted the sum of 200,000*l.* for that purpose, on the condition that the disbanding should be effected in the short space of three weeks. *He* begged to learn whether it was their intention that the

May 30.

June 4.

June 7.

⁵² See his letters to the prince, Dalrymple, 172—5.

⁵³ Dalrymple, 159—168.

English garrisons in the towns of Flanders should be withdrawn before they could be relieved by Spanish troops; and his opponents, ashamed of their precipitancy, extended the three weeks to sixty days for the regiments serving beyond the sea, but passed a resolution that after three days no additional motion for a supply should be made during the session. The king then called them before him, reminded them of the public debt, which had been contracted some years before, and of the anticipations on the actual revenue, occasioned by his preparations for war, and condescended to request that, if they meant him to pursue hostilities with the petty state of Algiers, or to take that part in continental politics which became the dignity of the crown, or to lead the remaining portion of his life in ease and quiet, they would add to his annual income the sum of 300,000*l*. But this appeal to their feelings was useless; the house passed contemptuously to the order of the day⁵⁴.

In the meanwhile the negotiation between Louis and the States was transferred from the French camp to the congress at Nimeguen. Every question respecting the personal interests of the two parties was speedily and amicably arranged; a day for the signature of the treaty was appointed; and an armistice for six weeks allowed time for the Spanish government to signify its acceptance of the terms previously offered by Louis. It chanced, however, that a question put by Doria, the Spanish ambassador, drew from the French commissioners an avowal, that, though it was the intention of their master to restore the

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June 13.

June 15

June 18.

Treaty
against
France.

June 19.

⁵⁴ C. Journ. May 27, 28; June 4, 7, 13, 15, 18. Parl. Hist. iv. 977, 983, 986, 994. On the last day a test was proposed for the discovery of such members in that house as had received bribes or any other consideration for their votes either from the English

government or foreign powers. The popular leaders spoke warmly in its favour, but before the last division took place, about 100 members slipped out of the house, and the motion was lost by a majority of 14. C. Journ. June 18. Parl. Hist. iv. 1000.

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- six towns to Spain, he would continue to hold them as securities for his ally, the king of Sweden, till the emperor should have restored the conquests which he had made from that prince. This declaration put an end to the treaty. The States forbade their commissioners to sign without new instructions; Charles
- June 21. expressed his conviction that Louis sought only to divide, and by dividing to oppress, the confederates; and the council unanimously adopted the advice of the duke of York, to enter immediately into the war. The period for disbanding the army was in consequence prolonged⁵⁵, four thousand men led by the earl of Ossory joined the English regiments in Flanders; another corps of equal force held itself in readiness to embark
- June 27. under the command of the duke; and Temple hastened to the Hague, where in defiance of French influence, he concluded a treaty stipulating that, unless France should recede from its new pretensions in favour of Sweden within fourteen days, the two powers should unite their forces to compel the acceptance of the proposals formerly made by the king of England, or such
- July 16.

⁵⁵ This prolongation revived a question of privilege between the houses. In the bill granting 200,000*l.* for the disbanding of the army, the lords introduced an amendment prolonging the time from three weeks to the end of July, even for the forces in England. The commons acknowledged the propriety of the delay, but denied the right of the lords to make any alterations in a money bill, and therefore rejecting the amendment substituted a proviso to the same purpose. The lords rejected the proviso in return; and the commons passed a resolution that "all aids in parliament are the sole gift of the commons; that all bills for that purpose ought to begin with the commons; and that it is the undoubted and sole right of the commons to direct, limit, and appoint in such bills the ends, considerations, conditions, and qualifications of such grants, which ought not to be altered by the house of lords." (C. Journ.

July 3.) This doctrine was, however, denied by the lords. It was, they replied, founded solely on the act of Henry IV. entitled "*Indemnity des seigneurs et communes*," which took, indeed, from the lords their former right of originating such bills, but left all other legislative rights as full and free to one house as to the other. The commons might keep it a *vexata questio*, as long as they pleased; but the lords would never surrender the exercise of their hereditary privileges. Charles feared that he should lose the bill, and with it the sum of 200,000*l.*, no trifling consideration to the indigent monarch: but the lords left the bill at the conference, and refused to take any further notice of it: and the commons yielded so far as to introduce a new bill, of which the rejected amendment formed a part. In this state it passed both houses.

other conditions as the success of the confederates might entitle them to demand⁵⁶.

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Though Louis was disconcerted by this display of spirit, so unexpected on the part of the English king, he did not despair of subduing the obstinacy of the States. With this view his commissioners at Nimeguen employed for thirteen days every art which diplomatic finesse could devise. They declared that the resolution of their master was irrevocably taken; they suggested forms of compromise, the substitution of an equivalent in favour of Sweden, the discussion of the subject at Ghent or St. Quintin in the presence of Louis; but on the fourteenth, when every man looked forward to the renewal of hostilities, they announced their willingness to yield, on condition that the peace were signed before midnight. Van Haren, one of the Dutch commissioners, hesitated, because he had understood that not only the peace with the States but also that with Spain was to be signed at the same time: his scruples, however, were removed by the authority of his colleague Van Beverning, and both in conjunction with Odyck, the third commissioner, subscribed the same evening two treaties, one of peace, and another of commerce, between France and the United Provinces, without any particular stipulation in favour of Spain. The intelligence excited surprise at the Hague; but it was believed that Beverning acted in pursuance of private instructions from the city of Amsterdam, and peace was so welcome to almost every class among his countrymen that he had little to fear from the resentment of those who sought a continuance of the war⁵⁷.

Peace of Nimeguen.

July 31.

⁵⁶ Temple, ii. 438—443. Jenkins, ii. 389. Dumont, vii. 348. Clarend. Corresp. 1—21. Dalrymple, ii. 181—188. Danby, 226, 228, 253, 291.

⁵⁷ Temple, ii. 444—455. Jenkins, ii. 418

—420. Dumont, vii. 350. It was proposed that Charles should guarantee the places in question to Sweden. He was even induced to order Temple to go from the Hague to Nimeguen for that purpose. Thus the

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Battle of St.
Denis.

Aug. 4.

To this event, so unexpected by the other powers of Europe, succeeded another which excited equal surprise. On the fourth day after the conclusion of peace, the prince of Orange fought the fierce and sanguinary battle of St. Denis. Of the few fortresses, which still remained in the possession of the Spaniards, Mons was the first in strength and importance : but on the east of Mons lay the hostile garrison of Binche, on the west that of St. Guislain ; the country to the south was in the hands of the enemy ; and early in the spring a strong corps, passing the river Haine, had formed an entrenched camp to the north, and intercepted the communication with Brussels. The blockade had already produced a scarcity within the walls ; and in the councils of the confederates it was resolved to make the relief of Mons their first object after the conclusion of the armistice. With this view the prince, anticipating nothing less than the signature of the treaty, ordered his forces to assemble on the 30th of July, and on the 4th of August led them against the enemy, who were commanded by the duke of Luxembourg. In the valley in front of their camp the French held two fortified positions, the abbey of St. Denis, and the ruins of a fortress called Casteau : the first after an obstinate struggle was carried by the prince of Orange, the second by the duke of Villa Hermosa ; but the enemy recovered the latter towards the evening, pursued the Spaniards into the plain, and would have cut off the retreat of the Dutch from St. Denis, had they not been kept at bay by the desperate resistance of the English auxiliaries under

French party at the Hague was freed from the presence of a man whose influence they feared, and with the aid of De Crosse, the Swedish agent who brought the order, circulated a report that a secret understanding

still existed between Charles and Louis. This, it was believed, led to the clandestine mission of Boreel from the city of Amsterdam to Van Beverning. Temple, ii. 445—449. Dalrymple, ii. 178. Danby, 256, 289.

the earl of Ossory. During the night the two armies resumed their former positions⁵⁸. CHAP. V.
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By many this action, in which the lives of five thousand men were sacrificed, has been deemed a foul blot on the character of William⁵⁹. That he was ignorant of the conclusion of peace, no man could believe. The proceedings at Nimeguen, which were already known in London⁶⁰, could not be unknown in the neighbourhood of Brussels; and his haste to commence the battle, though a British force of eight thousand men was on its march to his assistance, proved his anxiety to anticipate the arrival, if it had not already taken place, of contrary orders from the States. But even ignorance in his circumstances could not form a valid excuse: to justify the renewal of hostilities, he ought to have *known* that the French had suffered the term of fourteen days to elapse without accepting the conditions of peace. It is not, however, difficult to discover the motives by which he was actuated. On the one hand, it was of the first importance to Holland that Mons should not fall into the possession of the French, and yet, though the garrison was reduced to extremity by famine, no provision had been made for its relief in the treaty: on the other a victory, obtained over the blockading army, would probably prevent the ratification of the peace, and give to William himself the undisputed ascendancy over his political opponents⁶¹. The attempt was therefore made; and, though he gained no victory, the fortress at least was saved. The next morning the duke of Luxembourg

Mons is relieved

Aug. 3.

⁵⁸ For this battle see the memoirs of lord Castlehaven, who held a command in the Spanish army, App. 52—56.

⁵⁹ See Louis, iv. 171, 172. James, i. 511.

⁶⁰ See the duke of York's letter of Aug. 4, in Dalrymple, ii. 189, and Danby's of Aug. 5,

Letters, 293.

⁶¹ Louis, iv. 167. Dalrymple, ii. 189, 190. Danby's Letters, 232. "If God bless the prince in this one enterprise of Mons, he will be greater here than ever his ancestors were." Temple, in Danby's Letters, 254.

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Aug. 9.

All the powers
consent to
peace.

July 15.

Aug. 8.

announced to him the conclusion of peace; the armies, after several conferences, separated, that of the allies retiring towards Nivelles, that of France towards Ath, and the communication between Mons and the capital was once more restored⁶².

In England the duration of the session and the expectation of peace, had drawn from parliament several grants of money for the purpose of discharging the extraordinary expenses incurred by the preparations for war. A prorogation followed: Charles found himself at the head of a numerous army, with 800,000*l.* at his command; and he resolved to keep his word to the prince of Orange, and to teach his brother of France the value of his friendship. Fresh bodies of troops were successively sent to Flanders; the Spaniards received assurances of the king's readiness to procure for them the conditions formerly offered at Nimeguen; and the States were summoned, in pursuance of their late treaty, to unite with England for the purpose of compelling the French king to stand to his promise⁶³. But it was too late to kindle again the dying embers of war. His interference, indeed, encouraged the Spaniards to demand more favourable conditions; and it gave so much confidence to the Antigallican party in the States, that the prince still cherished a hope of recovering the ascendancy; but Louis knew how to yield when it was for his interest. He had already ratified the peace on his part: his ambassadors

⁶² Dumont, vii. 364.

⁶³ Temple professes himself ignorant why Charles acted with so much vigour on this occasion: but says that he was advised afterwards that the king's object was to please the parliament on account of the discovery which was then made of the plot. That, however, is impossible. For Hyde was despatched to Holland on the 12th of August (Danby, 232. Dalrymple, 11, 190), and it is certain that the first intimation of the plot was given to

the king on the following day. From the letters of Danby and of the duke of York, it appears that the king could not learn the articles of the treaty signed by the Dutch, but knew that worse terms had been offered to the Spaniards than before; that he believed Louis did not intend to make a general peace; and that the account of the battle of St. Denis sent by the prince taught him to expect a second battle, and a continuation of the war. Danby's Letters, 232, 233, 256, 296.

were instructed to assume a tone of unusual moderation ; they receded from several of their demands ; and every subject of dispute with the Spanish ambassadors was referred to the decision of the Dutch. This policy succeeded, and the confederacy was broken. Before the expiration of the six weeks the Spanish ambassadors reluctantly submitted to the terms dictated by their powerful enemy ; in a few months the emperor and the empire followed their example ; and an end was put to the war, which had raged for six years from the shores of the Baltic to those of the Mediterranean ⁶⁴. That the result, so glorious to Louis, so alarming to the other princes of Europe, was in a great measure owing to the indecisive, vacillating, and contradictory conduct of the English cabinet, cannot be denied. But the blame must not be laid exclusively on the king ; it ought to be shared with him by the leaders of the country party. If his poverty, his love of ease, his fear of the opposition in parliament, taught him to shrink from the cares and embarrassments consequent on a declaration of war, *their* desire of popularity, combined with party spirit, perhaps with more mercenary motives, led them to act in opposition to their professions, to urge the king to take part in the quarrel, and at the same time to prevent him from following their advice by denying him the necessary supplies. In truth, the jealousy of the two parties was so deeply rooted, their strength in the house of commons so nearly balanced, that the powers of government became paralyzed, and the crown of England lost its legitimate influence in the councils of Europe.

From continental politics the reader must now divert his attention to one of the most extraordinary occurrences in our

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Sept. 1.

Sept. 9.

⁶⁴ Dumont, vii. 352, 363, 365.

Titus Oates.

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domestic history, the imposture generally known by the appellation of Oates's plot; an imposture which, brought forward in a time of popular discontent, and supported by the arts and declamations of a numerous party, goaded the passions of men to a state of madness, and seemed for a while to extinguish the native good sense and humanity of the English character.

His confederacy with
Tonge.

Its author and hero was Titus Oates, alias Ambrose, the son of a ribbon-weaver, who, exchanging the loom for the bible, distinguished himself as an anabaptist minister during the government of Cromwell, and became an orthodox clergyman on the restoration of the ancient dynasty. Titus was sent to Cambridge, took orders, and officiated as curate in several parishes, and as chaplain on board of a man-of-war; but all these situations he successively forfeited in consequence of his misconduct, of reports attributing to him unnatural propensities, and of the odium incurred by two malicious prosecutions, in each of which his testimony upon oath was disproved to the satisfaction of the jury. Houseless and pennyless Oates applied for relief to the compassion of Dr. Tonge, rector of St. Michael's in Wood-street, a man in whom weakness and credulity were combined with a disposition singularly mischievous and astute. Tonge had proclaimed himself an alarmist: his imagination was haunted with visions of plots and conspiracies; and he deemed it a duty to warn his countrymen by quarterly publications against the pernicious designs of the Jesuits⁶⁵. In Oates he found an apt instrument for his purpose; and, as the example of Luzancy held out a powerful invitation to informers against

⁶⁵ "As all a man of my rank could do, I resolved to oppose yearly and quarterly, if possible, some small treatises in print to alarm

and awaken his majesty and these houses." Tonge's information to the house of commons, in *L'Estrange, Brief History*, ii. p. 53.

the catholics, it was arranged between them, that the indigent clergyman should feign himself a convert to the catholic faith, and under that cover should seek to worm himself into the more secret councils of his instructors. He was reconciled by a priest of the name of Berry⁶⁶, who obtained for the neophyte a place in the college under the administration of the English jesuits at Valladolid in Spain. But the habits of Oates accorded not with the discipline of a college, and after a trial of five months he was disgracefully expelled. By the advice of Tonge he made a second application; his tears and promises subdued the reluctance of the provincial; and the repentant sinner was received into the college at St. Omer. But Oates was still unable to govern his unruly disposition; again he suffered his real character to pierce the flimsy cover which his hypocrisy had thrown over it; and his petition to be admitted into the novitiate was answered by a peremptory order for his expulsion. From St. Omer he repaired a second time to his patron: but the information which he had been able to glean from the reports current among his fellow students was scanty and uncertain; and the only thing of seeming importance which he could communicate was the bare fact, that several jesuits had in the month of April held a private meeting in London. On this foundation however, frail and slender as it was, the two projectors contrived to build a huge superstructure of malice and fiction. The meeting was in reality the usual triennial congregation of the order: *they* represented it as an extraordinary consult for a particular purpose: it was composed of the provincial and the thirty-nine eldest members: *they* introduced into it almost every jesuit with whose name Oates was acquainted: it had

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1677.
Oct. 30.

Dec. 10.

1678.
June 23.
They forge a
plot.

⁶⁶ Berry, alias Hutchinson, was first a protestant and curate of Berking, and last of all a second time a catholic. It was generally understood that he was deranged.

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been held, with much secrecy but imprudently enough, in the duke of York's palace of St. James's⁶⁷; *they* fixed it at an inn in the Strand, the former inmates of which were no longer to be discovered; it had for its object the nomination of the procurator, and the arrangement of the internal concerns of the society; *they* described it as a consultation on the most eligible means of assassinating the king, and of subverting by force the protestant religion. In support of this fable they subsequently invented an immense mass of confirmatory evidence, detailing the conveyance of treasonable letters, the subscription of monies, the distribution of offices, and the preparation of a military force: and when the narrative (so it was afterwards termed) had assumed the proper shape, it was written in Greek characters by Oates, then copied in English characters by Tonge, and lastly communicated under a promise of secrecy to one Kirkby, who, having been occasionally employed in the royal laboratory, was personally known to the king⁶⁸.

Aug. 1.

It is disclosed
to the king.
Aug. 13.

On the 13th of August, at the moment when Charles was preparing to walk in the park, Kirkby stepped forward, and in an under tone begged him not to separate from the company, because his life was in danger. The alarming intelligence made no sensible alteration in the royal manner; but it led to a private interview in the evening, when Tonge attended with a copy of "the narrative," divided into forty-three articles, and was immediately referred by the king to the lord treasurer; to whose inquiries he replied that the original narrative had been thrust

Aug. 14.

⁶⁷ Resesby, 195.

⁶⁸ L'Estrange, Brief History, ii. 81, 91, 101, 102. The Shammer sham'd, p. 8. Preface to Tonge's Royal Martyr. Castlemaine's Apology, 57—63. "Vindication of the English Catholics from the pretended conspiracy against the life et government of his

sacred majesty, discovering the cheife lyes and contradictions contained in the narrative of Titus Oates, M.DC.LXXX." with an Appendix of twenty attestations or affidavits, and Florus Anglo-Bavaricus, Leodii, 1685, p. 93, 200.

under the door of his chamber ; that he knew not the author, but was possessed of a clue, which might lead to the discovery ; and that he would endeavour to learn the residence of Pickering and honest William, who had undertaken to assassinate the king, or would point out their persons, when they were walking, according to their custom, in the Park. The coldness with which the discovery was received goaded the projectors to new exertions : additional articles were sent in ; the days when the assassins might be apprehended at Windsor were named ; and excuses, to account for their non-appearance, were successively framed. But by this time Charles had become incredulous ; he laughed at the simplicity of Danby ; and when that minister solicited permission to lay the narrative before the privy council, hastily exclaimed : “no not even before my brother. It would only create alarm, and may perhaps put the design of murdering me into the head of some individual, who otherwise would never have entertained such a thought ⁶⁹.”

Danby had insisted on the inspection of some of the numerous papers mentioned in the information. After repeated evasions he was told that a packet, containing treasonable letters, would on a certain day arrive at the post-office, addressed to Bedingfield, the confessor to the duke of York. To intercept it, the lord treasurer hastened to Windsor ; but found the letters already in the possession of the king : for Bedingfield had previously received them, and under the persuasion that they were forgeries, had delivered them to the duke. A rigorous examination took place. One was evidently written by the same person who had penned the

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Aug. 17.

Aug. 20.

Aug. 23.

Five forged
letters.

Aug. 31.

⁶⁹ Brief Hist. 104. Echard, 947. Vindication, 20. Kirkby's "compleat and true narrative," with Danby's impartial state of

his case, and his plea in the journals of the house of lords, xiii. 538.

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information presented to the king by Tonge: the similarity of the other four, though in a feigned hand, plainly showed that they must have been the work of one individual. In addition they all presented the same absence of punctuation, the same peculiarities of spelling and language, and the same ignorance of the real names of the supposed writers and their friends, though they purported to come from five different persons of good education, writing some from London, and others from St. Omer. It was impossible to doubt of the imposture, or of the office in which the letters had been forged⁷⁰.

Oates makes
an affidavit.

Sept. 2.

Soon after the transmission of these letters, Oates and Tonge, under the pretence of concealment and security, repaired to the lodgings of Kirkby at Vauxhall. That dupe repeatedly attended at court, and presented himself before the king; but Charles, who had already formed his opinion of the plot, invariably passed him by without notice. It was not, however, the intention of the projectors to suffer the discovery to be buried in silence. Distrusting the intention of the council,

Sept. 6.

Oates made affidavit to the truth, first of the original narrative of forty-three, and then to the improved edition, of eighty-one

Sept. 27.

articles, in the presence of Sir Edmondbury Godfrey. That

⁷⁰ See the letters in L'Estrange (*Observer*, ii. 150, 151, 152, 153, and *Brief. Hist.* ii. 7): also James (*Memoirs*), i. 517—519. The fraud was so manifest, that the crown lawyers thought it proper to suppress the letters at the trials which followed. On October 16th the letters, together with the other documents, were laid before Sir William Jones, the attorney-general, with an order for him to make "a state of the evidence." His remark on the letters is singular. "If they can be so proved as to be believed to be the hands of the several persons by whom they are said to be written, they do fully make out the guilt of the writers, and do much confirm all the rest that hath been deposed by Mr.

Oates... but against the truth of the said letters there are many objections, some from the prisoners, others from the letters themselves, and the way of their coming to light: the particulars thereof, as they are many, and some resulting from the inspection of the letters themselves, so I doubt not but the same are fully remembered by your majesty." *Brief. Hist.* ii. 5, 6. Yet the man, who came to this lame and impotent conclusion, not only did not allow the prisoners the benefit of such objections, but repeatedly asserted to the court that, whoever doubted of the existence of the plot, must be an enemy to the king, and the religion of his country!

magistrate, surprised to discover in the list of conspirators the name of his friend Coleman, revealed the secret to him, and Coleman immediately communicated it to the duke of York⁷¹.

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James had already persuaded himself that this pretended plot, if not originally devised, would subsequently be employed for the purpose of excluding him from the succession; and on that account had repeatedly conjured his brother to bring the informer before the council, and to institute a strict inquiry into the truth or falsehood of his testimony. Hitherto Charles, through his love of ease, and apprehension of the consequences, had refused his consent; and (which seemed more surprising), Danby himself concurred in praising the resolution of the sovereign. But the duke entertained no doubt that the real object of the treasurer was to suppress all knowledge of the plot till the meeting of parliament, and then to call for an inquiry into its existence, that he might divert the attention of the two houses from the impeachment which was still hanging over his head. The affidavits of Oates confirmed his suspicions: he renewed his arguments and entreaties, and Charles with much reluctance ordered Tonge to produce the informer before the privy council.

He is called
before the
council.

At the appointed hour Oates appeared in a clerical gown and a new suit of clothes procured for the occasion. The assurance with which he delivered his narrative, imposed on many of his hearers. He stated 1^o. that the order of the jesuits had undertaken to re-establish the catholic religion in the British dominions by rebellion and bloodshed; 2^o. that their plan of operation comprised Ireland, where some of them were employed in organizing an insurrection and massacre, Scotland,

His narra-
tive.
Sept. 28.

⁷¹ Kirkby's "compleat and true narrative," Sept. 2, 5, 7, 8, 9, 27.

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where others, under the disguise of Cameronian ministers, opposed the establishment of episcopacy, Holland, where a third party sought to raise the adherents of France against the prince of Orange, and England, where a fourth was plotting the assassination of the king, and not of the king only, but also of his brother, if the duke should prove unwilling to join in the attempt ; 3^o. that they were in no want of pecuniary resources. They had 100,000*l*. in bank, were in the yearly receipt of 60,000*l*. in rents, and had obtained from Leshee (La Chaise), the confessor to the French king, a donation of 10,000*l*., and from de Corduba, the provincial of New Castile, the promise of an equal sum towards the accomplishment of this holy undertaking ; 4^o. that in March last a man named honest William and Pickering, a lay brother, were repeatedly commissioned to shoot the king at Windsor ; and that, the failure being attributed to negligence, the first had received a severe reprimand, the second twenty lashes on the bare back ; 5^o. that on the 24th of April a grand consult of jesuits from all parts met at the White Horse tavern in the Strand, to determine on the most eligible method of taking the king's life ; that three sets of assassins were provided, the two persons already mentioned, two Benedictine monks, Coniers and Anderton, and four Irishmen of unknown names, procured and instructed by Fogarty ; and that in addition the reward of 10,000*l*., and subsequently of 15,000*l*., had been offered to Wakeman, the queen's physician, if he would poison the king. Of Wakeman's answer he was ignorant ; but had heard that he gave his assent, and had frequently seen him since that period in the company of jesuits ; 6^o. that he had arrived at the knowledge of the conspiracy by the following contrivance. His feigned conversion had so far won for him the confidence of the superiors

of the order that they sent him in the first place with letters to the jesuits at Valladolid, which letters he had the curiosity to open and peruse at Burgos. From Valladolid he proceeded on a similar mission to Madrid, returned thence through Valladolid to England, was sent back to St. Omer, accompanied the fathers from St. Omer to the grand consult, went with them again to St. Omer, and returned with new instructions to England: on all which occasions so great was the trust reposed in his faith and honesty, that the contents of the papers which he carried were communicated to him by his employers; 7^o. that since his return he had learned, that the jesuits were the projectors of the fire of London in 1666, and had spent seven hundred fire-balls in nourishing the conflagration; but, to indemnify themselves, had carried off one thousand carats of diamonds, and made a clear profit of 14,000*l*.: that this success had encouraged them to set fire to Southwark in 1676, by which they had gained 2,000*l*. above their expenses, and that they had now under consideration a plan for the burning of Westminster, Wapping, and the ships in the river; 8^o. that the pope by a very recent bull had already appointed certain individuals, whom he named, to all the bishoprics and dignities in the church of England, under the persuasion that by the murder of the king the catholic religion would rise to its former ascendancy: and lastly that he had already made oath to the truth of this information “in the whole and every particular thereof” before sir Edmondbury Godfrey⁷².

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While Oates was reading this long and alarming narrative, the members of the council gazed in astonishment on each other. The facts, which it detailed, appeared so incredible,

And subsequent examination.

⁷² True Narrative of the Horrid Plot and Conspiracy, &c. London, 1679. L. Journ. xiii. 313. State Trials, vi. 1434.

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the means, by which they had come to the knowledge of the informer, were so devoid of probability, and the character, which he gave of himself, exhibited such traits of baseness and dishonesty, that his hearers were bewildered and amazed. The duke of York hesitated not to pronounce it a most impudent imposture : but others contended that no man in his senses would come forward with a tale so startling and portentous, unless he could support it by proof ; that, although it were embellished with fiction, it might have a foundation in reality ; and that it was the duty of the royal advisers, in a matter of such concernment, to sift out the truth from the falsehood, with which it had been mixed and confounded. Oates was asked to produce documentary evidence in confirmation of his testimony. He had been trusted with a multitude of treasonable letters at different times : his only object was to detect and defeat the conspiracy : undoubtedly then he must have secured some of these papers as evidence against the traitors. He confessed, however, that he stood there without a single document ; but promised to produce evidence in abundance if he might be furnished with warrants and officers to arrest the persons, and seize the papers of the individuals whom he had accused. To this proposal the council gave its assent.

The next morning the inquiry was resumed in presence of the king. To the objections, urged against the authenticity of the Windsor letters, Oates ingeniously replied, that such was the practice of the jesuits ; they wrote in feigned hands, and with orthographical errors. Their accomplices were acquainted with the artifice, and it supplied the writers with a pretence of forgery, if the letters were intercepted or discovered. Charles desired that he might be told to describe don Juan, to whom, according to his narrative, he had been introduced at Madrid ; and Oates

without hesitation replied, that he was a tall, spare, and swarthy man. The king turned to his brother, and smiled; for both knew from personal acquaintance that don Juan was low of stature, and fair of complexion. "And where," said Charles, "did you see La Chaise pay down the 10,000*l.*?" He replied with equal readiness, in the house of the jesuits close to the Louvre. "Man," exclaimed the monarch, provoked at his effrontery, "the jesuits have no house within a mile of the Louvre"⁷³.

The credit of the informer was now gone, unless he could support it by the discoveries to be made from the papers which he had seized. Much was expected from those of Harcourt, the provincial of the jesuits. They consisted of a cipher, of an immense collection of letters, of books of account, and of the acts of the very congregation which Oates had denounced; but among them all no trace of the plot could be discovered; not so much as a passage to which the ingenuity of the lawyers could give the semblance of an allusion to the treason in question⁷⁴. Fortunately for the informer, it was otherwise with the papers of Coleman, the son of a clergyman in Suffolk, who had embraced the catholic faith, and was appointed secretary to the duchess of York. The man was vain of his abilities, expensive in his habits, and solicitous to acquire the re-

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Seizure of
papers.

⁷³ James (Memoirs), i. 520. Macpher. i. 87. "The king told me, that he took it to be some artifice, and that he did not believe one word of the whole story." Reresby, 67. Where the compiler of the Memoirs of James refers to the writings of that monarch, I shall, as I have done above, add the word (Memoirs), because such passages are of higher authority than the other parts of that work.

⁷⁴ Florus Anglo-Bavaricus, p. 100. Two of the letters were, however, selected, and are to be found in the journals of the house of commons (Nov. 2). In one occurs the word "design," in the other, "patents." It was explained, (and the explanation is confirmed by the context,) that the first referred to the design of holding the congregation, the other to the patents of appointment to offices in the order.

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putation of a person of consequence. To extricate himself from his pecuniary embarrassments, he sought to procure money from Louis XIV. in 1675 by offering his services in favour of the catholic religion to father La Chaise, the confessor of that monarch, and in 1677, by another offer to father St. Germain to prevent a rupture between the two crowns, which he represented as a natural consequence of the marriage of the princess Mary. In both these attempts he failed : but he was more successful with the bankers, whose money had been shut up in the exchequer, from whom he drew 3,500*l.* under pretence of procuring for them some parliamentary security ; with three successive ambassadors from France, whom he supplied at a stipulated price with daily information of the proceedings in parliament ; and in particular during the last session with Barillon, from whom he procured 2,500*l.* for the purpose of strengthening the French interest in the two houses. Though James frequently reprimanded him for his busy intriguing disposition, he persisted in his course : his table was frequented by many of the Whig members while the parliament was sitting ; and the “ fanatics ” at a distance received from him weekly “ news-letters,” reflecting so severely on the ambition of Louis, and the measures of the English government, that Charles ordered the duke to dismiss him from the service of the duchess. Luzancy had formerly accused him before the council ; but he faced and silenced the informer ; and it was perhaps this success which induced him also to despise the deposition of Oates. But on the seizure of his papers he asked the advice of the duke of York, who replied, that if he had written any thing illegal, or even suspicious, he had better conceal himself ; otherwise his spontaneous appearance before

the council would be taken as a proof of his innocence. He chose the latter, and became the first victim sacrificed to the perjuries of the informer and the prejudices of the nation ⁷⁵.

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The fact was that among several loose papers in a neglected drawer had been found copies of Coleman's foreign correspondence in the years 1675 and 1676. There was in it much to prove the restless and intriguing spirit of the man : but that which chiefly attracted the notice of the council was a proposal from him to La Chaise that Louis should furnish Coleman and his friends with the sum of 20,000*l.* to be employed by them for certain purposes equally conducive to the interest of France and of the catholic church. There was indeed no visible connection between this proposal and the plot brought forward by Oates ; for the purposes specified in the letter were the restoration of the duke to his place of lord high admiral, and the establishment of liberty of conscience. But this was accompanied with expressions calculated to awaken suspicion. "Success," he maintained, "would give the greatest blow to the protestant religion that it had received since its birth." "They had a mighty work on their hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy, which had so long domineered over great part of the northern world." To a cool and dispassionate inquirer, acquainted with the state of parties at the time, this language would probably have appeared a mere rhetorical flourish employed by the intriguer to interest in favour of his project the zeal of the old priest whom he addressed : but jealousy had been provoked by the disclosures of Oates ; more,

And of Coleman's correspondence.

⁷⁵ For this account of Coleman, see James Macpher. i. 82. Brief Hist. i. 144. Burnet, (Memoirs), i. 533. C. Journ. 1678, Oct. 31, ii. 94.
Nov. 7. Dalrymple, ii. 199, 201, 314.

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it was suspected, might lurk under the words than immediately struck the eye : the great work mentioned by Coleman might be the commencement of the conspiracy which had been denounced ; the two ends of the chain were already in sight, and it was possible that the discovery of more of the correspondence might supply the link by which they were connected. Under this impression Coleman was committed to prison, where he found for his companions in captivity most of the individuals named in the deposition of the informer ⁷⁶.

The king goes
to New-
market.

It was obviously the interest of the king to bring the inquiry to a speedy termination, that of his minister to protract it till the meeting of parliament : because, if it were then pending, it would infallibly be taken up by the country party. Charles foresaw that they would employ it as an additional weapon of offence against his brother, while Danby hoped to convert it into a shield of defence for himself against the impeachment with which he was threatened. At the beginning of October, when the king was accustomed to spend a fortnight at Newmarket, the dukes of York and Lauderdale conjured him to remain at Whitehall, and to prefer his duty to his pleasures : but the opposite advice of the lord treasurer was more palatable to the indolent monarch ; and he departed with the court to Newmarket, leaving strict orders with Danby to prosecute the investigation with the utmost expedition, orders which that minister was careful to disobey ⁷⁷.

Oct. 2.

Hitherto nothing had transpired to connect the informers

⁷⁶ C. Journ. Oct. 31.

⁷⁷ James (Memoirs), i. 545, 546. Temple, ii. 478. "He fancied by the helpe of his pretended conspiracie, and crying out against popery, he should pass for a pillar of the church, and ward the blow which he foresaw was falling on his shoulders ; but my lord

Shaftsbury, who soon found out his drift, sayd ; let the treasurer cry as lowd as he pleases against popery, and think to put himself at the head of the plot, I will cry a note lowder, and soone take his place : which he failed not to make good." James (Memoirs), i. 546.

with any party in the state; but subsequent events induced many to look upon them as mere puppets, whose motions were regulated by the invisible hand of some master artist. That artist was supposed to be the earl of Shaftesbury; of whom, whether he were or were not the real parent of the imposture, this at least is certain, that he took it under his protection from its birth, and nursed it with solicitude till it arrived at maturity. In conjunction with his political associates, he watched the progress of the alarm excited by the frequent meetings of the council, and the numerous arrests of the supposed conspirators; converted with consummate art every succeeding event into a confirmation of the plot, and gradually contrived, by inflaming the passions, to assume the most extraordinary control over the judgment of the people.

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It chanced that during the absence of the court, Godfrey, before whom Oates had made affidavit, was missing from his family. From his father, who died by his own hands, Godfrey had inherited a melancholy temperament; and after the apprehension of his friend Coleman, was observed to labour under great depression of spirits. On the 12th of October, having settled his accounts, and burnt a large mass of papers, he left his home at an early hour, and was met in different parts of the town during the day, walking with a hurried pace, and apparently inattentive to any thing that passed around him⁷⁸. That very evening it was rumoured that he had been murdered by the papists; and five days later his dead body was discovered among some stunted bushes in a dry ditch on Primrose-hill. It rested on the knees, breast, and left side of the face: a short sword had been thrust with such violence through the heart, that

Death of sir
Edmundbury
Godfrey.

Oct. 12.

Oct. 17.

⁷⁸ See the affidavits in Brief History, iii. 176—183, 299—310.

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the point protruded a few inches beyond the back : his cane was fixed upright on the bank, his gloves lay near it on the grass, and his rings remained on his fingers, his money in his purse. The extraction of the sword was followed by a copious discharge of blood from the wound ; and, when the body was undressed, a deep purple crease appeared round the neck⁷⁹. In these circumstances the question to be determined was, whether Godfrey had fallen by his own hand, in which case the tightness of the collar would satisfactorily account for the discoloration of the neck, or had been first strangled, and afterwards stabbed by the murderers, to induce a belief that he was the author of his own death. After an inquiry of two days before the coroner the latter opinion was adopted by the jury, but chiefly on the authority of two surgeons, whose testimony betrays their profound ignorance of the phenomena consequent on sudden and violent death. Even at the time the verdict was deemed so unsatisfactory, that other medical practitioners solicited permission to open the body : but to this the brothers of the deceased made the most determined opposition. They were aware that a return of *felo de se* would deprive them of the succession to his estate, and on that account had laboured during the whole investigation to impress a contrary persuasion on the minds of the jurors⁸⁰.

Oct. 19.

Excitement
of the people.

The result of the inquest imparted the stamp of authority to the reports previously in circulation. It was no longer safe to deny that Godfrey had been murdered, and murdered by the papists. He had, indeed, always shown himself their steadfast friend, and had recently given to the accused the first notice of their danger. But the absence of any sufficient motive for the

⁷⁹ Ibid. 97—99, 212, 226, 264—271.
Compare these with State Trials, vii. 184.

⁸⁰ Ibid. 235—237. 242—250. 257.

crime was considered of little moment ; and no man ventured to argue the question, when the least intimation of dissent was taken as a proof of conscious guilt. The body, instead of being speedily deposited in the grave, was carried in public procession to the former habitation of the deceased ; the doors were thrown open during two days ; and the populace were invited to gaze on the mangled remains of the protestant martyr. The sight inflamed their passions, and prepared their minds to believe in the bloody designs attributed to the papists ; individual murders, a general massacre, the burning of the city, and the blowing up of Whitehall were hourly expected ; and the precautions employed by the magistrates, the multiplication of the guards, the frequent consultations at the Guildhall, served to nourish the excitement and delusion⁸¹.

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Oct. 20.

It was at this moment, when the public phrenzy had reached its height, that Charles met his parliament after the prorogation. The presence of his forces in Flanders had procured for Spain more favourable conditions, but had entailed at the same time an enormous expense on the English government. The supply so lately voted was exhausted ; the ordinary revenue of the next year had been already anticipated ; and it was become equally impracticable without additional pecuniary aid to disband the army or to keep it on foot. This was the chief subject which the king in his speech sought to impress on the attention of the two houses. To the plot he made only an incidental allusion, stating it to be his intention to leave the guilt or innocence of the accused to the investigation of the ordinary courts of law. Such, however, was not the plan either of the popular leaders, or of his own minister. Under their guidance both

Ferment at
the meeting
of parliament.

Oct. 21.

⁸¹ Burnet, ii. 154.

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houses, forgetting the king's recommendation, listened with astonishment to the narratives of Oates and Tonge; and as if their own existence, that of the sovereign, and of the nation were at stake, they placed guards in the cellars under the house of parliament, extorted from Charles a proclamation that all catholics, not householders, should quit London, prevailed on him to remove a Scottish regiment to the distance of forty miles from the capital, petitioned for the dismissal of every papist from his domestic service, conjured him to be careful that his meals were prepared by none but orthodox cooks, and appointed committees to pursue the pretended conspiracy through all its secret and numerous ramifications⁸². By these proceedings the inquiry was taken out of the hands of the government, and in a great measure transferred to those of Shaftesbury, and the committee appointed by the lords. Shaftesbury was always at his post, receiving informations, granting warrants for searches and arrests, examining and committing prisoners, and issuing instructions to the officers, informers, and jailors. But his zeal proved too industrious to escape suspicion. By many he was said to be actuated by a very questionable motive, the desire, not of discovering the truth, but of establishing the credit, of the plot. The popular delirium had given to his party an ascendancy in the two houses, which they could not otherwise have acquired: and, that he might keep this alive, and direct it in accordance with his own views, he cared little to what perjuries he might give occasion, or what blood he might cause to be shed.

Additional
disclosures of
Oates.

Oates, at his examination before the commons, made a most important addition to his previous testimony. He informed

⁸² L. Journ. 297, 301, 303, 304, 305, 306, 307, 308, 309, 312, 331, 335, 354. C. Journ. Oct. 23, 24, 25, 26, 28, 30; Nov. 1, 2.

the house that Oliva, general of the jesuits, had, by authority from the pope, already appointed to all the great offices of state, and to the chief commands in the army, both in England and Ireland; that many of the patents of appointment had been seen by him, or passed through his hands; that the office of lord chancellor had been conferred on lord Arundel, of lord treasurer on the earl of Powis, of commander-in-chief on lord Belasyse, of lieutenant general on lord Petre, of lord privy seal on sir Wm. Godolphin, of secretary of state on Coleman, of major general on sir Francis Radcliffe, and of adjutant general on Lambert, who had formerly distinguished himself in the service of the commonwealth. These constituted the new government for England. In Ireland the chancellorship was given to Peter Talbot, the chief command of the forces to Richard Talbot, the rank of lieutenant general to the viscount Mountgarret, and the inferior offices were parcelled out among their friends and dependents. In this selection there was much to shake the confidence of those who possessed any knowledge of the parties, because several of the latter, from age, or infirmity, or character were incapable of executing the different employments to which they had been appointed. But such objections weighed not with the commons: they sent for the lord chief justice, and instructed him to issue warrants for the apprehension of all the individuals named in the information. In other circumstances the lords would have interfered in defence of their privileges; now every minor consideration was sacrificed to the safety of the state; and the earl of Powis, the viscount Stafford, the lords Petre, Arundel, and Belasyse were committed to the Tower⁸³.

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⁸³ L. Journ. 299, 308, 309, 311, 327. day Oates accused the earl of Castlemaine, C. Journ. Oct. 23, 24, 25, 28. The next that having obtained a divorce from his wife

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The bill for
exclusion of
catholics.

Oct. 23.

Oct. 28.

The first bill introduced in the house of commons was the favourite measure of the popular party, the test for the exclusion of all catholics, and consequently of the duke of York, both from parliament and from the presence of the sovereign. It proposed to enact, 1°. that no person should presume to sit or vote in either house of parliament, or name a proxy to vote for him in the house of lords, unless he had previously, in presence of the house, taken the oaths of allegiance and supremacy, and subscribed the declaration of idolatry in the worship of the church of Rome, under the penalty of a fine of 500*l.*, and of disability to sue in any court of law or equity, to receive any legacy or deed of gift, or to act in any manner as guardian, executor, or administrator; 2°. that every unqualified peer and commoner and popish recusant, coming into the house or presence of the king, should be liable to the same penalty, unless in the next term he should take the same oaths, and subscribe the same declaration in the court of chancery. In former sessions this bill had repeatedly miscarried: but now, under the auspices of Titus Oates, it could not fail of success. Day after day that informer was called in to inflame the passions of the members by new disclosures; every speaker sought to give proof of his loyalty and orthodoxy by the display of hostility to the papists; and the bill passed through the house without opposition, when opposition could lead only to the forfeiture of character, perhaps of liberty and life ⁸⁴.

on account of adultery with the king, he was now a jesuit in priest's orders, and had, in the hearing of Oates, wished success to the plot that he might gratify his revenge. Castlemaine was sent to the Tower, but acquitted on his trial. See his Manifesto, 7, 10, 46.

⁸⁴ C. Journ. Oct. 23, 24, 25, 26, 28. It

is remarkable that this bill omitted the obligation of receiving the sacrament in the established church, which was required as a qualification for taking office. The reason is evident. It would have removed the dissenters from parliament, and without the aid of the dissenters the country party had no prospect of accomplishing their purpose.

The moment the test was transmitted to the lords, care was taken to add new fuel to the flame by the communication to the house of Coleman's letters. The offensive expressions and the objectionable aims of that busy intriguer were taken for those of the whole body to which he had joined himself; and his constant use of the duke's name provoked a general belief, that he had acted by the instructions or at least with the connivance of that prince. James, indeed, positively denied, and commissioned his friends to deny by his authority, all connection between him and Coleman: and Coleman himself at his examination faintly acquitted the duke: but the conduct of each was attributed to the necessity of his situation, and both houses voted a resolution that "there had been and still was a damnable and hellish plot contrived and carried on by the popish recusants for the assassinating and murdering the king, and for subverting the government, and rooting out and destroying the protestant religion⁸⁵."

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Vote of both
houses.

Oct. 31.

To add to the impression made by the publication of this vote, it was accompanied with the funeral of the first supposed victim of the conspiracy. Godfrey perished on the 12th of October: on the 31st his corpse was borne in procession to the grave. As it passed from Bridewell to St. Martin's-in-the-fields, it was preceded by seventy-two clergymen in their gowns, and followed by more than a thousand gentlemen in mourning, many of them members of parliament. In the pulpit appeared Dr. Lloyd, the rector of the parish, between two men of powerful limbs and determined aspect, habited as clergymen, and stationed for his protection against the designs of the papists. He took for his text the passage—"As a man falleth before the

Funeral of
Godfrey.

⁸⁵ C. Journ. Oct. 28, 30, 31. L. Journ. xiii. 333. Reresby, 67.

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wicked, so fellest thou ;”—and undertook to prove that Godfrey had been the victim of his attachment to protestantism, and must have been murdered on that account by its enemies. From this mournful but exciting spectacle the crowd returned to their homes, breathing vengeance against the assassins, and extolling Oates as “the saviour of his country ;” his fictions, absurd and incredible as they must appear to the thinking reader, were received without hesitation ; and men of every class suffered themselves to be agitated with the apprehension of dangers, the more alarming to the imagination, because they were wrapt in mystery, and expected from unknown and invisible foes ⁸⁶.

Precautions.

Neither was the panic thus created local or momentary. The measures, adopted by the government, in consequence of the addresses of parliament, served to give to it both diffusion and duration. In a short time the prisons in the metropolis contained two thousand suspected traitors ; the houses of the catholics, (even that of the earl marshal could not obtain exemption,) had been searched for arms ; and all papists who refused the oaths of allegiance and supremacy, amounting almost to thirty thousand individuals, were compelled to withdraw ten miles from Whitehall. For the security of the capital posts were fixed in the streets that chains might be thrown across on the first alarm : the military, the trained bands, the volunteers, to the number of forty or fifty thousand, were occasionally kept all night under arms ; strong detachments occupied the most eligible posts ; numerous patrols paraded the streets ; the guards were doubled at the palace ; batteries of field-pieces were planted for its protection ; and the great gates were kept con-

⁸⁶ Echard, 950. North, 204. Reresby, 67, 68.

stantly closed, so that admission could be obtained only through the wicket. From the metropolis the alarm spread into the remotest parts of the country : the order for disarming the catholics was universally enforced ; lists containing their names, ages, and occupations were delivered by the officers of each parish to the magistrates, and all were compelled either to take the oaths, or to give security for their good behaviour. Precautions so general and extraordinary were sufficient to conjure up terror in every breast : Charles alone preserved his tranquillity in the midst of excitement : he hesitated not to declare in every company his disbelief of the plot, and to lament that his subjects should suffer themselves to be made the dupes of a bold and brazened impostor ⁸⁷.

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Observing the state of the public mind, the popular leaders determined to throw off the mask, and to commence a direct attack on the duke of York. An address to exclude him from the presence and the councils of the sovereign was moved by lord Shaftesbury in the house of lords, by lord Russell in the house of commons. It was not, that they charged him with any participation in the plot : from that ground they had already been driven by Oates, who had declared at the bar of the house of lords that he believed the duke to be entirely ignorant of the design : and when he was ordered to denounce every individual cognizant of the conspiracy, whatever the rank or station of that individual might be, had replied upon oath “ that he could name no other person than those whom he had named already ⁸⁸.” The charge of treason was therefore abandoned ; but they relied on the prejudice excited against him by

Address
against the
duke of York.

Nov. 2.

Nov. 4.

⁸⁷ See “ *Les Conspirations d'Angleterre, à Cologne, 1680,*” p. 338, *et seq.* The account in that work is written by a foreigner, who resided in London, and appears to have

kept a diary. Also *Florus Anglo-Bavaricus*, 115, 118 ; and *Reresby*, 67, 72.

⁸⁸ *L. Journ.* 309, 311, 389.

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the publication of the letters of Coleman, and contended that his presence at court encouraged the papists to persevere, and proved an obstacle to the adoption of those measures which were requisite for the security of the protestant worship. Charles openly expressed his indignation at this motion, and ordered his friends to oppose it with all their influence. In the house of lords their efforts were successful: in the commons the debate was adjourned, resumed, and again adjourned. But the pertinacity of the party subdued the resolution of the monarch; he sought to escape from the contest; he advised his brother to submit to a compromise, and to withdraw from the council while he remained at court: such a concession would mollify his enemies, and aid his friends in the support of his undoubted rights. It cost James a violent struggle before he would yield: but he deemed it a duty to obey the will of the sovereign, and announced from his seat in the house of lords that he was no longer a member of the council.

Nov. 9. Charles then called the two houses before him, and assured them that he was as ready as their hearts could desire to establish the security of the protestant religion, and to assent to any reasonable laws for that purpose, provided they did not intrench on the rightful descent of the crown, or on his own authority, or on the just rights of his protestant successors. This speech was received with expressions of gratitude; and lord Russell immediately withdrew his motion. One part of it, the removal of the duke from the council, had been obtained; the other part, his removal from the court, was included in the bill against popish recusants now pending in the house of lords⁸⁹.

The test bill
passed.

That bill, however, made but little progress. The lords in

⁸⁹ C. Journ. Nov. 9. James (Memoirs), i. 524. Reresby, 70. Burnet, ii. 157. Parl. Hist. iv. 1026.

general looked with jealousy on a measure which invaded the constitutional rights of the peerage⁹⁰, and would create a precedent, which on subsequent occasions might be employed against other than catholic peers. To stimulate their indolence the commons by repeated messages reminded them that on the adoption of the bill depended the safety of the king, and kingdom, and of the protestant religion; and Charles, weary of contending with clamour and intimidation, consented to sacrifice the rights of the other lords, provided those of his brother were maintained. To the surprise of all men, on the third reading, when the rejection of the bill was generally anticipated, it passed without opposition, but with a proviso that its operation should not extend to his royal highness the duke of York. James, however, immediately entered his protest against it; and was followed by the earls of Berkshire and Cardigan, and the lords Audley, Stourton, Hunsdon, and Teynham⁹¹.

To the popular leaders the exclusion of the catholic peers was a matter of minor interest: their paramount object, the exclusion of the duke of York, had been defeated by the proviso. They resolved, as a last resource, to throw it out in the house of commons, and to mark their sense of the conduct of the lords by the manner of the rejection. Speaker after speaker rose in favour of the duke, but no answer was given from the benches of his opponents; the latter were called upon to state their objections, but exclaimed in return "Question, question—Coleman's letters, remember Coleman's letters." At

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Nov. 11.

Nov. 16.

Nov. 20.

Nov. 21.

⁹⁰ See the standing order in the Lords' Journals, xii. 673.

⁹¹ L. Journ. xiii. 365. C. Journ. Nov. 11, 16. Reresby, 71. Monmouth, to escape from the necessity of voting in favour of his uncle, left the house before the division, which gave James a fair opportunity of com-

plaining to the king of his son's conduct, and of observing that he was not only intimately connected with the leaders of the opposition, but suffered his flatterers to drink to him by the title of prince of Wales. James (Mémoires), i. 526.

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Nov. 30.

length, when fifteen members had been successively heard on the same side, lord Cavendish replied; the question was put, and, to the deep and bitter disappointment of the party, the proviso was carried by a majority of two voices. Charles gave his assent to the bill, but at the same time remarked that he did it with reluctance, and merely through deference to those, who were alarmed at the extraordinary excitement of the people⁹².

By this statute, which owed its enactment to the perjuries of an impostor, and the delusion of the nation, the catholic peers found themselves, without any fault of theirs, deprived of the most valuable privilege of the peerage, the right which they derived from their birth, of sitting and voting in the higher house of parliament. Nor were they the only victims: the unjust proscription attached to their descendants during the long lapse of one hundred and fifty years. It was reserved for the beneficent sovereign, who lately swayed the sceptre of these realms, and an enlightened and liberal parliament to erase the foul blot from the statute book, and by an act of tardy but praiseworthy justice to restore the sufferers to the exercise of their ancient and hereditary rights⁹³.

There was one circumstance, which greatly embarrassed the

A new witness comes forward.

⁹² C. Journ. Nov. 21. L. Journ. xiii. 394. Parl. Hist. iv. 1039—1045. Soon afterwards the lords made an order that John Huddleston, Charles Giffard, Francis Yates and his wife, the five brothers of the name of Penderel, Mr. Whitgrave of Moseley, colonel Carlos, and Francis Reynold of Carleton in Bedfordshire, who had been instrumental in the preservation of the king after the battle of Worcester, should live as freely as any of his majesty's protestant subjects without being liable to the penalties against popish recusants, and that a bill be prepared for that purpose. L. Journ. 408.

⁹³ The peers, whom this act deprived of their seats in the house, were the duke of

Norfolk, the earls of Shrewsbury, Berkshire, Portland, Cardigan, and Powis, the viscounts Montague and Stafford, the lords Mowbray, Audley, Stourton, Petre, Arundel, Hunsdon, Belasyse, Langdale, Teynham, Carrington, Widdrington, Gerard of Bromley, and Clifford. We are told that three preferred their seats to their religion (Reresby, 73). Of these the marquess of Worcester was one: the other two, as far as I can ascertain, did not take the oaths till the next session, in 1679, viz. the lord Mowbray, son to the duke of Norfolk, and the earl of Berkshire on his coming to the title after the death of his brother.

patrons of the plot. Its credit still depended on the sole unsupported testimony of Oates. Though the prisoners had been successively interrogated at the bar, or before the committee of the house of lords, all had uniformly protested their innocence: the offer of pardon and reward had been made in vain: each persisted in declaring his ignorance not only of the facts and designs charged on himself, but also of those charged upon the others. Thus eleven weeks passed away, and no prosecution was instituted, because to establish the guilt of the accused, the law required the concurrent testimony of two witnesses. At last the difficulty was surmounted. The king by proclamation had promised to the discoverer of the assassins of sir Edmondbury Godfrey, reward, protection, and a full pardon, even if he were an accomplice; and in a few days the secretary of state received an enigmatical letter, dated from the town of Newbury, containing the singular request that the writer, William Bedloe, might be taken into custody in the city of Bristol, and be brought back a prisoner to the metropolis. By order of the council a warrant for his apprehension was sent to Bedloe himself, with directions to deliver it to the mayor of Bristol, when and in what manner he might think fit: the arrest accordingly took place in the open street, and in the presence of a numerous crowd; and a report was circulated both there and in London that the prisoner had it in his power to develope the whole mystery in which the death of Godfrey was still involved⁹⁴.

CHAP. V.
A. D. 1678.

Nov. 1.

Nov. 2.

Nov. 5.

Deposition of
Bedloe.

The character of Bedloe was not less open to objection than that of Oates. He had originally been employed in the stables, and afterwards in the household of lord Belasyse. Subsequently he travelled on the continent as a courier in the service of

⁹⁴ See the official papers in *Brief History*, iii. 67.

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different gentlemen; in which capacity he became acquainted with the names and residence of many persons of distinction, and availed himself of that knowledge to raise money by artifice and fraud. His swindling transactions had repeatedly been visited with imprisonment and various punishments in different countries: judgment of death had been passed on him for a robbery in Normandy; and he had just obtained his discharge from confinement in Newgate when the proclamation induced him to offer himself a candidate for the reward of 500*l*⁹⁵. In

Nov. 7.

his first deposition, taken before the king and the two secretaries of state, he declared he knew nothing of the plot, but had seen the dead body of Godfrey at Somerset-house; that according to his informant Le Fevre a jesuit, Godfrey was stifled between two pillows by Le Fevre himself, with the aid of Walsh another jesuit, of lord Belasyse's gentleman, and of a waiter in the queen's chapel; that he had been offered two thousand guineas to help in removing the corpse, and that it was at last carried away on the Monday night at nine of the clock by three persons, unknown to him, but retainers at

Nov. 8.

Somerset-house. The next morning he related the same in substance before the house of lords. To a question respecting Oates he answered by denying all knowledge of that informer: but added, contrary to his testimony of the day before, that he had been told by Walsh and Le Fevre of the commissions received by the earl of Powis and lord Belasyse, and of authority to appoint other officers given to lord Arundel. This provoked the king to exclaim: "surely the man has received a new lesson during the last twenty-four hours⁹⁶."

The memory of the informer continued to improve. In

⁹⁵ Burnett, ii. 158. Echard, 951. Florus
Anglo-Bavaricus, 127.

⁹⁶ Burnet, ii. 157. L. Journ. xiii. 343.

another deposition, made also upon oath, he recollected that in the beginning of October he had been solicited to commit a murder for a reward of 4000*l.*; that Godfrey was inveigled into the court of Somerset-house about five in the evening; that he was not stifled with pillows (that story contradicted the finding of the coroner's inquest), but strangled with a linen cravat; that the body was deposited in a room which Bedloe pointed out to the duke of Monmouth; that he saw standing round it the four murderers and Atkins clerk to Mr. Pepys of the Admiralty; and that it was removed about eleven of the clock on the Monday night⁹⁷. In two parts of this deposition he was unfortunate; he had selected for the time of the murder the very hour when Charles was at Somerset-house on a visit to the queen; an hour when such a transaction must have been instantly discovered, because a company of foot-guards had been drawn out, and a centinel stationed at every door: and he had pointed out as the place of concealment of the body the room which was appropriated to the use of the queen's footmen, who were there in waiting at every hour of the day⁹⁸.

But his succeeding reminiscences were of much greater importance. At first he knew nothing of the plot: now he remembered that during his travels he had become acquainted with English monks, friars, jesuits, clergymen, and nuns, all of whom were anxious to acquaint him with the particulars of the great design for the re-establishment of catholicity in England. From them he learned that at first it was proposed to confine the king in a monastery, but afterwards to kill him; that another person, unless he would consent to hold the crown of the pope, would be also set aside, and the government be

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A. D. 1678.

Nov. 11.

Nov. 12.

⁹⁷ L. Journ. 348, 350.

⁹⁸ James (Memoirs), i. 527. "The king told me," says Reresby, "that Bedloe was a

rogue, and he was satisfied that he had given some false evidence concerning the death of sir Edmondbury Godfrey." Reresby, 72.

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A. D. 1678.

administered by commission with the lord Arundel at its head ; that the duke of Norfolk, the marquess of Worcester, and the earl of Shrewsbury were too loyal to be trusted with any knowledge of the plot ; that ten thousand men were to land at Bridlington in Yorkshire, and put themselves under the command of lord Belasyse ; that an army of twenty or thirty thousand friars and pilgrims was to sail from Corunna to Milford-haven, and to join the catholics of Wales under the earl of Powis and lord Petre : that the king, the dukes of Monmouth, Ormond, and Buckingham, the earl of Shaftesbury and the lord Ossory were to be murdered by persons whose names he stated, the military in London by assassins stationed at the door of every alehouse, and the citizens by a force of forty thousand men secretly organized, and consisting of papists or protestants in the pay of the papists ; that all who refused to conform to the catholic worship, were to be “utterly extinguished ;” and that there was not a catholic in England of quality or credit, who had not received information of the plot, and been sworn on the sacrament to lend to it his aid, and to keep it secret ⁹⁹.

Their absurdity.

It will excite surprize that in the three kingdoms there could be found an individual so simple or so prejudiced as to believe in this marvellous tale of bloodshed and treason. But in times

⁹⁹ L. Journ. 351—353. At this time Luzancy appeared again upon the stage ; but his residence for the last three years at Oxford disabled him, however he had been disposed, from acting an important part among the informers. He had already expelled from England St. Germain, almoner to the duchess of York : he now expelled La Colombière, successor to St. Germain. Having composed a memorial for Du Vicquier, a Frenchman, he introduced him first to the bishop of London, and then to the lord chancellor. La Colombière was immediately arrested, and committed on the 16th of November. The

informers accused him at the bar of the house of lords of having said that the king was a catholic at heart, and that the power of the parliament would not last for ever, of having perverted protestants, and sent missionaries to Virginia. The lords voted that these were matters of dangerous consequence, and on the 21st addressed the king to send Colombière out of the kingdom. Four weeks later the zeal of Luzancy was rewarded with the vicarage of Dover-court. L. Journ. xiii. 367, 368. *Conspirations d'Angleterre*, 1680, p. 360, 370.

of general panic nothing is too absurd for the credulity of the public. The deposition of Bedloe was hailed as a confirmation of that of Oates; it served to fan the flame, to add to the national delirium; new addresses were made to the king, and new proclamations and arrests followed. Yet the champions of the plot, those who sought to bring home to the accused the charges against them, saw with uneasiness that there was nothing in these additional informations to constitute Bedloe a second witness in conjunction with Oates. The reader, however, will soon discover how the difficulty was removed by the effrontery of the new informer, who on the trials of the prisoners found it convenient to forget much of his previous testimony, and to substitute other particulars, which, though entirely new, harmonized better with the fictions of his brother impostor.

These discoveries by Bedloe had served to occupy the public attention during the debates on the bill for the exclusion of catholics from parliament: the moment the duke of York was excepted by the clause in his favour, a new and most extraordinary intrigue was set on foot. The reader will recollect that Shaftesbury, in his zeal to prevent the succession of that prince, had ventured to propose to the king a divorce for the purpose of having issue by another wife: and now with the same view a Mrs. Lloyd, at the suggestion of Dr. Tonge, waited on Charles, and solicited a private audience for Titus Oates, who wished to confide to his majesty some secret and important information tending to criminate the queen. He heard her with tokens of incredulity and impatience; and, when she hinted the possibility of a divorce, sternly replied, that he would never suffer an innocent woman to be oppressed¹⁰⁰.

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A. D. 1678.

A divorce
proposed to
the king.

Nov. 23.

¹⁰⁰ L. Journ. xiii. 389. James (Memoirs), i. 529. "He said to me" (Dr. Burnet) "that considering his faultiness towards her

in other things, he thought it a horrid thing to abandon her." Burnet, ii. 169.

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Oates accuses
the queen.
Nov. 24.
Nov. 25.

Oates, however, was admitted to tell his tale to the king, then made his deposition on oath before secretary Coventry, and afterwards was twice examined by the privy council. He stated that in July he saw a letter in which it was affirmed by Wakeman that the queen had been brought to give her assent to the murder of the king; and that one day in August he accompanied several jesuits to Somerset-house, and was left in the antichamber, when they were admitted to the queen. The door stood at jar; he had the curiosity to listen, and heard a female voice exclaim, "I will no longer suffer such indignities to my bed; I am content to join in procuring his death, and the propagation of the catholic faith:" soon afterwards the jesuits retired; he looked into the room, and saw no other woman than the queen. There was much to throw discredit on this story. Oates had never given any intimation of it before: he had not mentioned the traitorous letter, when he made the charge against Wakeman; and he had solemnly declared upon oath that he knew of no other persons implicated in the crime besides those whom he had already named. Charles ordered the earls of Ossory and Bridgewater to conduct the informer to Somerset-house, and oblige him to point out the room and antichamber which he had described. He was led into every part, he repeatedly visited every chamber, and was at length compelled to acknowledge his inability to discover the place. The king, convinced that the story had been suggested to him by some enemy of the duke, ordered the guards, who had been assigned for his security, to keep always in his company, and to allow no person to see him, or to speak to him in private¹.

Bedloe also
accuses her.

Bedloe followed, as a second witness, to support the testimony

¹ L. Journ. 388—391. James (Memoirs), i. 529. Clar. Corres. i. 52—56.

of Oates. He too, if we may believe him, had been at Somerset-house: he had witnessed a conference between Catherine and two French clergymen, in the presence of lord Belasyse, Coleman, and some jesuits; and was subsequently told by Coleman that at the first proposal of the king's murder the queen burst into tears, but that her objections had been removed by the Frenchmen, and that she had reluctantly signified her consent. Bedloe, however, was more cautious than Oates. His former difficulty in finding the chamber, in which he had seen the body of Godfrey, proved to him a useful lesson: and he assigned for the scene of his consultation a place in which he could not be liable to error, the gallery of the chapel, while he, as he pretended, remained on the floor below. But why had he hitherto concealed this important evidence? To the question he replied: that it had escaped his memory. If he recollected it now, it was owing to the impudent denial of Coleman, that he had ever been in company with Bedloe².

But, whatever might be the conviction of the king, it was not the intention of the party to lose the benefit of this additional testimony. Bedloe, having previously obtained a pardon for all offences committed up to that hour, delivered his deposition in writing to the house of commons; and then Oates appearing at the bar, raised his voice and exclaimed, "I, Titus Oates, accuse Catherine, queen of England, of high treason." The members, not in the secret, were struck dumb with astonishment; an address was hastily voted for the removal of the queen and her household from Whitehall; and a message was sent to the house of lords to solicit their immediate concurrence. They, however, previously required to be put in possession of the

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A. D. 1678.

Nov. 27.

The lords
refuse to join
with the
commons.

Nov. 28.

² Ibid. 391, 392.

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A. D. 1678.

Nov. 29.

depositions made before the council; then severely examined the two witnesses in person, and, dissatisfied with their answers, resolved to refuse their concurrence, and appointed a committee to state the reasons of their refusal. Shaftesbury with two others protested against this vote: but the majority of the party deemed it prudent to acquiesce: a dissension between the houses might break all their measures, and, by bringing into question the credit of the witnesses, overturn the whole fabric of the plot. The charge against the queen was therefore buried in silence: but an address for the apprehension of all papists within the realm was voted, and impeachments of high treason against the five catholic peers in the Tower were carried to the house of lords³.

Trials on
account of
the plot.

I shall not detain the reader with a narrative of the partial trials, and judicial murders of the unfortunate men, whose names had been inserted by Oates in his pretended discoveries. So violent was the excitement, so general the delusion created by the perjuries of the informer, that the voice of reason and the claims of justice were equally disregarded: both judge and jury seemed to have no other object than to inflict vengeance on the supposed traitors; to speak in support of their innocence, or to question the veracity of the accusers, or to hint the improbability of the informations, required a strength of mind, a recklessness of consequences, which falls to the lot of few individuals: even the king himself, convinced as he was of the imposture, and contemptuously as he spoke of it in private, dared not exercise his prerogative of mercy to save the lives of the innocent. These

³ C. Journ. Nov. 28, 29, Dec. 5. L. Journ. 392, 403. The commons also addressed the king to restore Oates to his former freedom. He gave orders that any member or clerk of

either house might have unrestrained access to him, but not all persons without exception. *They* remonstrated, and *he* yielded. C. Journ. Dec. 6, 7.

unfortunate men were put on their trials under every disadvantage. 1^o. They possessed not the means of rebutting the charges against them. Kept in solitary confinement, debarred from all communication with their friends, without legal advisers, and with no other knowledge than what they could collect from their previous examination, they received notice of trial on the evening, and were placed at the bar the next morning. 2^o. The point on which the imposture hinged was the traitorous consult supposed to have been held at the White Horse tavern on the 25th of April, at which Oates deposed that he was present. Now, to prove that no such consult was held, they could not appeal to the testimony of the landlord, who was dead, nor of his widow or former servants still living ; for, though the house of lords ordered the inquiry to be made, not one of these individuals could then be found⁴ : neither dared they show that the real consult took place on that day at St. James's, because that would have been to expose the duke of York to the capital punishment enacted against the harbourers of priests and jesuits. 3^o. They were condemned before their trial by the prepossessions of the court, the jury, and the spectators. The chief justice, Scroggs, a lawyer of profligate habits and inferior acquirements, acted the part of prosecutor rather than of judge. To the informers he behaved with kindness, even with deference, suggesting to them explanations, excusing their contradictions, and repelling the imputations on their characters ; but the prisoners were repeatedly interrupted and insulted ; their witnesses were brow-beaten from the bench, and ill-treated by the spectators ; and their condem-

CHAP. V.
A. D. 1678.

⁴ L. Journ. xiii. 335.

CHAP. V. nation was generally hailed with acclamations which the court
A. D. 1678. rather encouraged than repressed⁵.

Trial of
Stayley.

Nov. 14.

These trials were introduced with the prosecution of Stayley, the catholic banker, at the instance of Carstairs, a Scottish adventurer. Stayley was sitting in a tavern, and conversing in French on the topics of the day with Firmin, a native of Marseilles, when Carstairs entered with a companion, and pretended to listen to their discourse. The next morning he waited on Stayley, and accused him of treason, but offered to suppress the charge in consideration of a sum of 200*l*. The banker laughed at the insolence of the man : but in a few minutes he was arrested, and at the end of five days tried for his life. Burnet, when he heard the name of the informer, hastened to assure the lord chancellor that Carstairs was a man of infamous character and unworthy of credit even on his oath : but Jones, the attorney-general, being present, asked Burnet who had authorized him to defame the king's witness, and the timid divine shrunk from the frown of the barrister, and left the unfortunate man to his fate.

Nov. 20.

The conversation in the tavern turned on the catholics, who had been charged with the design of murdering the king, and the question in dispute at the trial between the informer and the accused was, whether Stayley had said that he was ready to kill *him* or *them*, whether he used the French article *le* or *les*. It is plain that Firmin might have decided the controversy ; but care had been taken to confine him in close custody, from which he was not discharged till four months after the trial.

Nov. 26.

The jury believed the informer, and Stayley suffered death at Tyburn⁶.

⁵ See in particular the evidence of Fallas, State Trials, x. 1275.

⁶ State Trials, vi. 1501. Burnet, ii. 160. Conspirations d'Angleterre, 378.

The first victim sacrificed to the perjury of Oates and his coadjutor Bedloe, was Coleman. In consequence of an address from the house of commons Charles had promised that, if Coleman would make a satisfactory confession, he should have a full pardon, if he did not, the law should have its course. With this information the committee visited him in Newgate. He gave them the cipher to his correspondence, and explained to them his pecuniary transactions, but strongly denied that he possessed any knowledge of the alleged plot⁷. At his trial he maintained that his only object in his letters (that they were imprudent and unwarrantable he did not deny) was to procure money and the toleration of the catholic worship; that he had never seen either of his accusers before his apprehension; and that both had perjured themselves in their testimony, Bedloe by swearing that he had taken a letter from Coleman to La Chaise in April, 1675, whereas it was plain from the documents on the table that there had been no correspondence between them before September in that year, and Oates by deposing to numerous transactions with him, though in presence of the council the informer was unacquainted with his person, and appeared to be ignorant of these very transactions. Bedloe probably made no answer: Oates replied with some embarrassment, that his eyes were at the time so dazzled by the lights on

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Of Coleman.
Nov. 2.

Nov. 4.

Nov. 7.

Nov. 27.

⁷ C. Journ. Nov. 2, 4, 7. According to the report of the committee, Coleman said that he had received 2,500*l.* from Barillon, "to distribute to members of the house of commons, to prevent a rupture between the two crowns," but "had applied the money to his own use, because he thought he was as much out of purse upon the French account in his way of living; though he told Barillon that he had given to some members according to his promise." Journ. p. 534. I suspect some inaccuracy in this statement.

After Coleman's death his widow presented through Barillon a petition to Louis stating that 65,000 livres, or 5,000*l.*, had been promised to her husband for his services in preventing the declaration of war, that only one half, 2,500*l.*, had been paid to him, and that Barillon objected to pay to her the remaining half without an express order from the king. Dalrymple, 201. On what ground could she claim the money, if her husband were only an agent to distribute it to others?

CHAP. V. the table that he could not see distinctly, and his mind so over-
 A. D. 1678. powered by fatigue, that he was incapable of recollection.
 Dec. 3. Coleman was found guilty, and perished on the scaffold protesting his innocence with his last breath ⁸.

Of the five
 jesuits.

Dec. 17.

1679.

Jan. 24.

Whitbread, Fenwick, Ireland, Grove, and Pickering were soon afterwards brought to the bar. The evidence of Oates was positive against the whole five; that of Bedloe, by some unaccountable mischance, affected only the three last. In these circumstances Whitbread and Fenwick were by law entitled to an acquittal: but the chief justice ordered them to be removed, and called on Ireland, Grove, and Pickering to proceed with their defence. The jury returned a verdict of guilty, and the three unfortunate men died like Coleman, asserting on the scaffold, as they had asserted at the bar, that before their apprehension they had never heard, never so much as thought of the treason, for which they suffered ⁹.

1678.
 Information
 of Prance.

Dec. 21.

Dec. 23.

Dec. 24.

In these prosecutions Bedloe acted only a secondary part as the auxiliary of Oates: with respect to the death of Godfrey he claimed the merit and reward of an original informer, but was compelled to spend two months in search of a second witness to confirm his sole and unsupported testimony. The deficiency was supplied by the apprehension on some trifling charge of Prance, a silversmith, who had occasionally been employed by the queen. Bedloe, the moment he saw Prance, exclaimed "that man is one of the murderers:" and the unfortunate silversmith was hurried to Newgate, where under the influence of threats and promises, he was induced to confess himself guilty, and to accuse as accomplices Hill, Green, and

⁸ State Trials, vii. 1—78. Florus Anglo-Bavaricus, 135.

⁹ State Trials, vii. 79—143.

Berry, three servants at Somerset-house¹⁰. But his mind was not hardened against the sting of remorse: he requested to be placed a second time before the king and the council, and on his knees, with the strongest protestations of horror and repentance, declared that the whole of his confession was false, and that he knew nothing of the murder or the murderers. The managers attributed this retractation to the arts of the jesuits. Prance was remanded to Newgate and chained to the floor in the condemned cell: his terrors and his sufferings bereaved him occasionally of his reason; and Dr. Lloyd, now dean of Bangor, and Boyce the keeper, urged him to confess, the one with spiritual, the other with worldly motives. At last he consented: but his disclosures were now so numerous and portentous, that the credulity of the dean was startled; he declined any further interference¹¹, and left the unhappy man to the management of Boyce, with whose assistance a narrative was composed, professing to detail "the manner and circumstances of the murther, the conspiracy to assassinate the earl of Shrewsbury, and the vile practices of several popish priests¹²." The prisoners Hill, Green, and Berry were now brought to trial: ignorant and unassisted, they were unable to detect and expose the glaring inconsistencies between the depositions of

CHAP. V.
A. D. 1678.

Dec. 29.

1679.
Jan. 11.

Feb. 10.

¹⁰ Like Oates and Bedloe, he had the folly to mention a room in Somerset-house where the body lay, and being sent there, like them was unable to find it. *L. Journ.* 438.

¹¹ See *L. Journ.* xiii. 431, 436, 438. James (*Memoirs*), i. 535. Extracts from the journal of the committee, and the letters of Prance and Lloyd in *Brief Hist.* iii. 64—86. "From the time of taking off my irons and changing my lodging, which was upon my yielding basely to forswear myself against those innocent persons who dy'd on my wicked evidence, Mr. Boyce was the man that acted for me, and writ many things,

which I copy'd after him. I found by his discourse that he had been several times with my lord Shaftesbury and with Bedloe, and he told me that I should be certainly hang'd, if I agreed not with Bedloe's evidence," p. 127. It is plain that little reliance can be placed on the words of Prance: yet, as Dr. Lloyd observes, "he was best able to refute his own fictions concerning the murder, in which his word may be of some credit, but of none in any thing else," p. 85.

¹² "A True Narrative and Discovery, by Mr. Miles Prance, of Covent-garden, Goldsmith." 1679.

CHAP. V. the two informers ; and all three received judgment of death.
 A. D. 1678. Hill and Green, who were catholics, having resisted every attempt to draw from them an acknowledgement of guilt, suffered at Tyburn : to Berry a protestant, the respite of a week was granted : but he, like his companions, disappointed the hopes of the committee, and died like them with asseverations of innocence in his mouth¹³.

1679.
 Feb. 21.

 Feb. 28.

 1678.
 Montague's
 intrigue
 against
 Danby.

But from these scenes of horror it is time to divert the reader's attention to a new intrigue of a very different description, which led in its consequences to the dissolution both of the ministry and the parliament. It will be remembered that on the 25th of March the lord treasurer, in opposition to his own judgment, wrote by order of Charles a letter to Montague, the ambassador at Paris, commissioning him in certain circumstances to demand from Louis a pension of 6,000,000 of livres in return for the king's services in disposing the allies to consent to the conditions of peace. The demand was never made—not because it shocked the patriotism of Montague, for it had been suggested and recommended by him¹⁴—but because the terms proposed were rejected by the French cabinet. What secret overtures were afterwards made to the ambassador by Louis, we know not : but he felt or pretended to feel as an

¹³ State Trials, vii. 159—230. Ralph has printed the depositions of Bedloe and Prance in parallel columns, that the reader may see at one glance how they contradict each other in almost every circumstance of time, place, and thing. i. 419. Perhaps I should mention that great endeavours were made to implicate in the plot Pepys, secretary of the admiralty to the duke of York, and that with that view Atkins, his clerk, was charged and tried as an accomplice in the murder of Godfrey. Bedloe, before the lords, swore that one of the accomplices, " who called himself Atkins, was in all things very like the prisoner, but

because he never saw him before that time, he could not positively swear it, but he verily believed him to be the man." L. Jour. 351. Before the trial, however, it was known that Atkins that very evening was drinking till he was intoxicated on board one of the king's ships in the river : and Bedloe then swore that the accomplice " was not such a man as the prisoner. He had a more manly face and beard." State Trials, vi. 1473—1492 ; vii. 242. Atkins of course was acquitted.

¹⁴ His letters are published among those of Danby, 1, 13, 20, 21, 26, 36, 38, 43, 60, 62, 82.

injury the king's refusal of his request to purchase the office of secretary from sir Henry Coventry, and suddenly abandoning his situation at Paris, he returned without permission or notice to England. Danby, apprehensive of his enmity, watched his steps with solicitude: it was discovered that he not only associated with the popular leaders but held secret and nightly conferences with Barillon; and his attempts to procure a seat in the house of commons convinced the minister that, if Montague delayed to strike the blow which he meditated, it was only till he could shelter himself from the royal resentment under the privileges of parliament. At the election for Grinstead he was defeated by the foresight of Danby: at that for Northampton he was returned by the mayor, his absent opponent Sir William Temple by the sheriff: but Montague petitioned, the popular party espoused his cause, and the house pronounced him duly elected¹⁵.

Montague's real object was the ruin of the lord treasurer. With the popular leaders he had arranged that *he* should bring forward the secret despatch of March 25th: and *they* should ground on it a vote of impeachment against Danby. With Barillon he had concluded a contract, that 100,000 livres should be spent by the ambassador in purchasing the aid of the most powerful speakers in parliament, and 100,000 crowns should be paid to Montague himself, if through his exertions Danby were removed from office within the course of six months¹⁶. Still he delayed. His timidity was not satisfied with the protection afforded by a seat in parliament, and he waited for the time when the disbandment of the army should render the king less able to violate the privileges of the members. But

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August.

Oct. 21.

Nov. 6.

Nov. 11.

Who seizes
Montague's
papers.

¹⁵ Ibid. 78, 83, 88, 115, 116. C. Journ. ¹⁶ See Barillon's despatch in Dalrymple, Oct. 21, Nov. 6, 11, 23. 193.

CHAP. V. Danby had already received a hint of his danger : he knew that
 A. D. 1678. his despatches had been secretly shown to some of his opponents,
 and it became to him a matter of the first importance to gain
 possession of the obnoxious papers. With this view he laid
 before the council the information given by sir William Temple
 Dec. 19. that Montague had privately visited the papal nuncio at Paris,
 and might therefore be in some manner or other implicated in the
 popish plot¹⁷ : it was immediately resolved to pursue the inquiry :
 messengers were despatched to make the seizure of his papers ;
 and Ernley, chancellor of the exchequer, delivered a royal
 message, announcing this proceeding, and the information on
 which it was grounded, to the house of commons.

The matter had been conducted with so much secrecy that
 Montague and his friends were taken by surprise. The
 ingenuity of Powle (he afterwards received five hundred guineas
 from Barillon as a reward for his services¹⁸) relieved them for a
 while from their embarrassment. The seizure he maintained
 was a breach of privilege unless the information had been taken
 upon oath, and at his suggestion lord Cavendish with other
 members waited on the king, to ascertain the fact as to that parti-
 cular circumstance. To their mortification Charles drily replied,
 that he would return an answer after the two houses were risen.

But Danby's
 despatches
 are saved.

In the next place Harbord, another of Barillon's pensioners,
 was deputed to visit Montague's house, with private instructions
 from that member. Having ascertained that the letters, the
 only real objects of anxiety to both parties, had hitherto escaped
 the search of the officers, he returned ; Montague immediately

¹⁷ Danby's Letters, 265—267. Dal-
 rymples, 198.

¹⁸ Barillon appears to have made out in
 December of each year an account of the

money which he disbursed for political pur-
 poses. The account for the present year up
 to December has not been discovered ; that
 for the year 1679 will be afterwards noticed.

announced that he had in his keeping papers containing indubitable proofs of the guilty projects of a certain great minister ; lord Cavendish moved that documents of such high importance should be placed under the custody of the house ; and Harbord, lord Russell and several others were commissioned to proceed and take possession of the letters in question, in the name of the commons of England. They returned bearing a small casket, which was placed on the table, and Montague selecting from its contents two papers, delivered them to the speaker, protesting at the same time that it had been his intention to have communicated them through secretary Coventry to the king, and that he should not have presumed to make them public even now, were it not in obedience to the express commands of the house. Both bore the signature of the lord treasurer. One, of the date of Jan. 16, stated that the adjournment for thirteen days had been adopted in the hope of discovering in the interval some expedient for a peace, the other proved to be the celebrated despatch of March 25 ; with which the reader is already acquainted.

The reading of these papers electrified the house. They were described as a continuation of Coleman's intrigue, they proved that the same objects were kept in view, and the same manœuvres employed ; that the king's ardour for war had been a mere pretext to wring money from his people, and that, the moment money was voted, he had offered to sell the nation to a foreign sovereign. The debate was long and stormy ; and no one expressed more virtuous indignation against pecuniary transactions with France, than those who were then in the pay, or who had planned the prosecution with the advice, of the French ambassador. The house, carried away by the impulse of the moment, voted by a majority of sixty-three voices that

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CHAP. V. the lord treasurer should be impeached of high treason, and
A. D. 1678. that his letters should be entered on the journals¹⁹.

And are read
to the house.

Thus far the cunning of Montague had triumphed over that of the minister. He was not, however, without apprehension. He knew that the charge which he had brought, might be retorted with tenfold energy against himself, and that the letters, in which he had originally suggested, and afterwards advised the measure, were still in existence: but he gave credit to his adversary for a more delicate sense of honour than he possessed himself, and trusted that Danby would be restrained from the publication of those documents by the fear of betraying at the same time the secret views and negociations of the sovereign. In this respect he argued correctly; for out of the whole correspondence the treasurer could find but two letters, which he might produce in his vindication without compromising the king. Both were forwarded to the house. The first, dated Jan. 1, N. S. gave information that Ruvigni was sent to London to treat through lord Russell with the popular leaders: the other of the 18th contained a proposal from Montague respecting a demand of money on the conclusion of peace, and a request that he might be furnished with instructions on that head.

Dec. 20. They were publicly read by the speaker, but no attention was paid to them by the house, nor were they entered on the journals.

Dec. 21. The next day the impeachment was voted, and sir Henry Capel received orders to carry it to the house of lords²⁰.

Impeach-
ment of
Danby.

This instrument accused the earl of Danby of high treason

¹⁹ Journ. Dec. 19. Reresby, 74—78. Parl. Hist. iv. 1054—1067.

²⁰ Danby says that the letters were not read (Danby, 102); but this, it appears from the journals (Dec. 20), is a mistake. They were not, however, entered, and what is still

more extraordinary is that the entry of Danby's letters omits the very important postscript in the hand of the king, testifying that the letter was written by his order. Was it intended to keep this circumstance from the knowledge of the house?

and other high crimes, misdemeanors, and offences; and in particular 1°. of traitorously “accroching” to himself regal power by acting without communication with the secretaries of state and the other counsellors; 2°. of endeavouring to subvert the ancient government by keeping on foot a standing army; 3°. of negotiating a peace in favour of France to the prejudice of England, that he might in return obtain money from France for the support of that army; 4°. of being popishly inclined, and of having concealed the popish plot; 5°. of having wasted the royal treasure in secret services and useless pensions; and lastly of having obtained for himself grants from the crown contrary to act of parliament ²¹.

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Of Montague’s perfidy and baseness in this proceeding, there can be but one opinion. He had charged the counsels, of which he was himself the author, on one by whom they had always been opposed; he had betrayed the confidence reposed in him by his sovereign, and had sold his services to that very power, whose intrigues he had been commissioned to watch and unravel. Nor can much be said in favour of the leaders by whom he was supported. They lent their powerful aid to the malice of a disappointed individual and the policy of a foreign court; they sought to interest the passions of the house by clamour and misrepresentation; they voted charges, which were, on the very face of them, false and absurd; they affixed the penalties of treason to an offence, which, when fully proved, could amount to no more than a misdemeanour, and this sacrifice of honour, truth, and justice, they made for the paltry purpose of ruining the adverse leader of a political party. Their intemperance, however, had its usefulness. It taught succeeding

Montague’s
baseness.

²¹ C. Journ. Dec. 21.

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ministers to recollect that, besides the sovereign whom they served, there existed another power, before which they might be compelled to answer, if through obsequiousness to the royal will they should presume to violate the existing laws, or to act in opposition to the acknowledged interests of the country.

Danby's defence.

Dec. 23.

In the house of lords Danby defended himself with spirit and eloquence. It was, he owned, a misfortune to lie under an impeachment by the house of commons; yet even with that misfortune upon him he deemed himself more happy than his accuser, abhorred as that accuser must be by every honest man, for his duplicity, his perfidy, and his ingratitude. Of the charges against him he spoke with contempt. He denied them all: he defied his adversaries to the proof: he asked for nothing but an equal and a speedy trial. The commons insisted that he should be committed a prisoner to the Tower; but it was argued that not one of the offences specified in the impeachment amounted in law to high treason; after an adjourned debate the demand was refused, and a day was appointed on which the treasurer should give his answer²².

Dec. 27.

Prorogation
of parliament.

The parliament had now lasted eighteen years. In its infancy it had been distinguished by a habit of blind obsequiousness, in its more mature age by a system of determined hostility, to the court. The duke of York long ago advised a dissolution: but Charles had listened to the contrary suggestions of the minister, who felt little for the personal embarrassments of the king's brother, as long as he hoped by promises and bribes to mould the majority to his own purposes. Now, however, this hope had vanished. An impeachment was hanging over his head: he could have no certain reliance on his innocence at a

²² L. Journ. xiii. 432—435, 441. Parl. Hist. iv. 1069. Reresby, 78.

time, when the jealous and vengeful passions of the people were in the keeping of his adversaries; and there was reason to fear that the king, however resolute he might profess to be at the moment, would ultimately yield to his habitual love of ease, and his constitutional apprehension of resistance. The treasurer's best chance of safety depended on an immediate termination of the session. It would, indeed, be accompanied with an inconvenience, the loss of a bill of supply for 640,000*l.* for the disbanding of the army: but for this might be substituted the surplus revenue of the year and a loan from the prince of Orange. Danby ventured to bring forward the proposal in the council; and Charles readily prorogued the parliament for the space of five weeks²³.

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Dec. 30.

²³ L. Journ. 447. Reresby, 78. The savings to the amount of 600,000*l.* had hitherto been applied towards the gradual

extinction of the debt incurred by the stoppage of the exchequer in 1672. Reresby, 67. Parl. Hist. iv. 1063. 1071.

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CHARLES II.

THE DUKE OF YORK QUILTS THE KINGDOM—DANBY PARDONED BY THE KING, BUT IMPRISONED—NEW COUNCIL—DEBATE ON THE BILL OF EXCLUSION—PROROGATION—EXECUTION OF MITCHELL IN SCOTLAND—MURDER OF ARCHBISHOP SHARP—VICTORY AND DEFEAT OF THE COVENANTERS—TRIAL AND EXECUTION OF FIVE JESUITS—OF LANGHORNE—ACQUITTAL OF WAKEMAN—DISSOLUTION OF PARLIAMENT—PETITIONERS AND ABHORRERS—BILL OF EXCLUSION LOST IN THE HOUSE OF LORDS—TRIAL AND EXECUTION OF VISCOUNT STAFFORD.

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A new parliament.

Jan. 24.

FROM the prorogation the lord treasurer derived this important benefit; it suspended the proceedings against him, and afforded him a breathing time to provide for his own security. His first care was to break the combination of his enemies by entering into a private treaty with some of the leaders; the lord Hollis in one house, and Lyttleton in the other, were induced to make him under certain conditions a promise of neutrality, if not of support, on the question of impeachment; and the king by his advice dissolved the parliament, summoning at the same time another to meet at the expiration of forty days. Never perhaps did a general election take place at a season of more intense

excitement. The flame kindled in the capital had spread to the remotest corners of the country : the minds of men were agitated by rumours and jealousies the most extraordinary and unfounded : they believed at the same time that the king was a party to the conspiracy, and that his death was one of the great objects of the conspirators ; they suffered their judgments to be swayed by words instead of facts, but by words apparently of tremendous import, though without any definite meaning ; and the candidates in the interest of the court were everywhere assailed with cries of the danger of protestantism, and the bloody designs of the papists. The returns proved that the influence of the minister was no match for the phrenzy of the people. His adherents were rejected with marks of infamy, and their places supplied with men breathing vengeance against the catholics, and against an administration by which they believed that the catholics were secretly supported ¹.

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The unfavourable result of the elections suggested to Danby the necessity of some expedient to propitiate and disarm his opponents. *They* had failed to exclude the duke of York from the house of lords, *he* undertook to remove him from the kingdom. To sound the disposition of that prince, certain persons, some his known friends, others considered as neutral, were employed to explain to him the expediency of a voluntary but temporary exile, and, when he refused to purchase impunity for the minister by his own disgrace, Danby advised the king to send him an order to quit England, and to fix his residence at Brussels. But the good nature of Charles recoiled from so harsh and ungracious a proceeding ; the suggestion of an attempt to convert his misbelieving brother was adopted as less

The duke is
forced to
quit England.

¹ Burnet, ii. 177. L. Journ. xiii. 448. North, 504, 505.

CHAP. VI. offensive to his feelings ; and the archbishop with some of his
A. D. 1679. brethren received a commission to bring back the strayed sheep
Feb. 22. to the fold of the established church. These prelates waited on the duke : they represented to him the pain which it gave them to behold the son of a martyred king absenting himself from the national worship ; they inveighed in sharp and bitter terms against the principles of the Roman church ; and they maintained that she “ both taught and practised doctrines destructive of salvation,” an assertion which, with his permission, they were prepared to establish “ not by perplexing him with the subtleties and niceties of the schools, but by a plain text or two, and a plain obvious matter of fact.” James replied that he doubted not the uprightness of their motives, though he knew that the suggestion came from an enemy : that it would be presumption in him a layman to enter the lists against professed theologians ; that he had not changed his religious creed without a serious examination of the distinctive doctrines of the two churches, or a clear foresight of the sacrifices which that change would entail upon him ; and that to renew the investigation would require more leisure than he at that time possessed, and more deep and continued attention than he could under existing circumstances command. The failure of the prelates, and the importunity of the treasurer subdued the reluctance of Charles, who at length mustered sufficient courage to hint to James that his expatriation for a short time offered the most probable means of mitigating the hostility of his enemies. The duke professed himself ready to submit to the royal will, but at the same time solicited two favours, one an order in writing to quit the kingdom, that he might not appear to steal like a coward from the contest, the other a solemn promise that his rights should not be sacrificed in his absence to the pretensions

of Monmouth, who, it was now reported, had provided four witnesses to establish, in the event of the king's death, a contract of marriage between his father and mother. The order was immediately given in the form of a most affectionate letter; and Charles, having assembled the council, declared "in the presence of Almighty God that he had never given or made any contract of marriage, nor was ever married to any woman whatsoever but his wife, queen Catherine, then living." For greater security he subscribed this declaration, commanded the counsellors present to attest its execution with their signatures, and ordered the instrument with their testimony to be enrolled in chancery². James, accompanied by the duchess, departed the next day for Brussels: his daughter Anne was left under the care of her uncle, that it might not be said that her father meant to seduce her from the protestant worship³.

The parliament opened with a violent altercation respecting the choice of a speaker. Seymour, who had discharged the office in the last, was re-elected by the new, house of commons. This, however, accorded not with the designs of the lord treasurer, and it was resolved that when, according to custom, he should beg of the king to be excused, his prayer should be granted: but Seymour, aware of the intention, omitted in his speech the usual disqualifying expressions, and merely stated that he stood there to receive his majesty's approbation. The chancellor was disconcerted: Charles had more self-possession; he whispered in the ear of that officer, who answered that Seymour

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Feb. 28.

March 3.

March 4.

Dispute respecting the choice of a speaker.

March 6.

March 7.

² This declaration, as well as another made on the 6th of January, has been published by Mr. Rose from the rolls in chancery. Observations on Fox, App. p. 59.

³ James (Memoirs), i. 530, 536, 537, 541. Dalrymple, ii. 212. Burnet, ii. 194. The discourse of the prelates is in Clar. Corresp.

ii. App. 467—471. The duke afterwards wrote to the archbishop an account of his conversion, which did not take place till after the restoration, and in consequence of the fullest conviction. James (Memoirs), i. 539, 540.

CHAP. VI. was reserved for a different employment, and that the commons
A. D. 1679. must proceed to a new election.

This affront to the speaker elect has been represented as the consequence of a private quarrel between him and the lady Danby. But it is scarcely credible that the treasurer, with an impeachment hanging over his head, would wantonly plunge into another quarrel with the house of commons merely to gratify the resentment of his wife; and the subsequent proceedings appear to shew that the attempt was made in consequence of the secret understanding between him and some of the popular leaders. The person whom he sought to substitute in the place of Seymour was sir Thomas Meres, one of his most active and eloquent opponents in the late parliament: but the commons adhered to their first choice; and to their petition, that the king would not invade their undoubted right, an answer was returned, bidding them not to waste the time but to obey. They requested him to reconsider their petition, and he prorogued the parliament for two days. When the house met again, Seymour was never mentioned: as if no dispute had previously existed, March 11. serjeant Gregory, on the motion of lord Russell, seconded by lord Cavendish, was placed in the chair, and the new speaker immediately received the approbation of the king. By this arrangement Charles saved to the crown the right of refusing the person elected; and the commons took from the privy counsellors, by whom it had hitherto been exercised, the privilege of proposing the name of the speaker, and extended it to any member of the house ⁴.

A pardon
 granted to
 Danby.

The moment the last parliament was prorogued, Montague, apprehensive of the royal resentment, had endeavoured to escape

⁴ Reresby, 80—82. Parl. Hist. iv. 1093—1113. Burnet, ii. 194.

to the continent in disguise, but had been apprehended on suspicion at Dover, and compelled to give security that he would not quit the kingdom. Again, however, he absconded, till his election for the borough of Huntingdon in the new parliament reinvested him with freedom from arrest, and placed him in a situation to resume the prosecution of Danby ⁵. Fortunately for his purpose the lords had resolved that "the dissolution of the last parliament did not alter the state of the impeachments brought up by the commons in that parliament⁶," and the majority of the house was so irritated by the late contest respecting the speaker, that they offered themselves to become the willing tools of his policy or malice. Charles saw, and sought to avert, the impending storm. Having compelled the treasurer to resign the staff, he called the two houses into the royal presence, and informed them that, whatever Danby had done in the writing of the letters, or the inquiry into the plot, had been done by his express order: that they were in reality his own acts, and he was therefore bound to shield his minister from punishment on his account. There existed, indeed, other reasons why he should exclude the earl from his counsels and presence: but as for the offences of which he had been impeached, a full pardon had already been granted him, and that pardon should be renewed a dozen times, if a dozen renewals should be found necessary ⁷.

If Charles assumed on this occasion so decisive a tone in favour of his late minister, it was not that he any longer looked upon him with feelings of friendship and esteem. For some months the chief object of Danby's proceedings had been his

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A. D. 1679.

And objected
to by the
commons.

⁵ Danby, 118.

⁶ L. Journ. xiii. 464, 466. We may infer from the report of the committee that this resolution was not founded on any ancient

precedent, because no inquiry into precedents was made.

⁷ Ibid. 466. Reresby, 84. Burnet, ii. 196.

CHAP. VI. own preservation; to his obstinacy in the inquiry into the plot
A. D. 1679. the king attributed all his present embarrassments; and the
 duchess of Portsmouth, whose industry had been quickened by
 a threat of impeachment, laboured by her suggestions to
 strengthen the alienation of the royal mind⁸. But a sense of
 honour and justice (so it was pretended) forbade the monarch
 to allow that the servant should suffer the penalty of a trans-
 action, in which he had done nothing more than obey the
 command of his master; though, if we believe Danby himself,
 the king was actuated by another and more selfish motive; it
 was for the royal interest to prevent a trial, because a trial
 would probably lead to the exposure of the secret treaties
 between Charles and the king of France. Had it not been for
 this inconvenience, he would have refused the pardon: he
 wanted no shield for defence, he was ready to fight his enemies
 with such arms as innocence supplied⁹. However that may
 be, by the house the very mention of a pardon in bar of an
 impeachment was taken as a wrong and an insult. Having
 searched in vain for a copy of the instrument in the different
 March 24. public offices, they interrogated the lord chancellor; and learned
 from him that Danby offered the pardon ready drawn to the
 king, who immediately signed it, and ordered the person, who
 carried the bag, to affix the great seal in his presence¹⁰. In the
 debate which followed, Powle (the reader will recollect that he
 was at the very time the secret pensionary of Barillon) called
 in bold and indignant language for the punishment of a perfidious
 minister. Danby, it was said, had brought the nation to the
 very brink of ruin: it was to his mercenary policy that Louis

⁸ Temple, ii. 478.

⁹ Danby, 109, 111.

¹⁰ Hence the chancellor argued that the

seal was not in his possession, but in the possession of the king, and that of course he was not responsible. C. Journ. March 24.

owed the victories which made him master of Flanders, and to his arbitrary maxims that the last house of commons was indebted for the sharp and vituperatory answers which had been returned to its addresses. He had raised a standing army with the intention of defraying the charge for three years with French money ; he had drained the treasury to enrich himself, and to bribe others ; and he had first concealed the plot, then tampered with Bedloe to prevail on him to abscond, and afterwards had spoken of Oates in terms of obloquy and contempt. The king possessed, it was true, the power of pardoning, when *he* was the prosecutor : but, had he the same power when the prosecution proceeded from the house of commons ? He could not deprive an injured individual of his remedy at law ; and by parity of reasoning he could not take from the representatives of the nation their remedy against the national enemy. By the courtiers it was replied, that the right of pardoning was vested in the crown ; that up to that day the exercise of such right had never been called in question ; that, if any inconvenience were experienced, limitations might be imposed by a prospective law, but such limitation could not operate to the prejudice of pardons already passed. After a stormy debate the house resolved to represent to the king the irregularity and illegality of the pardon, with the dangerous consequences of pardons in cases of impeachment by the commons of England ; and at the same time to send a message to the lords, demanding that the accused might be sequestered from parliament, and committed to safe custody. The representation was not made ; but the votes of the house served to alarm both the king, who saw that, by supporting the minister, he had involved himself in a new contest respecting his prerogative, and the lords, who, that they might not seem to act from intimidation, ordered in great haste the usher of the

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CHAP. VI. black rod to take the earl of Danby into custody, and then in
 A. D. 1679. answer to the message, replied that they had already of their
 own motion anticipated the wishes of the commons ¹¹.

Danby is sent
 to the Tower.

March 26.

March 27.
 April 1.

April 4.

April 7.

April 8.

April 10.

April 12.

April 14.

April 15.

April 16.

April 25.

To prevent the trial now became the chief object of the court. Danby, with the king's connivance, had secretly taken refuge at Whitehall, while the lords passed a bill disabling him from holding office, or sitting in parliament, to which was afterwards added a clause banishing him from the kingdom. By the commons this bill was rejected on the first reading, and one of attainder substituted, unless he should surrender himself for trial against a certain day. This, however, in its progress through the upper house was by successive amendments converted into a bill of banishment similar in its provisions to the former. The commons rejected the amendments: conferences followed between the houses, and private meetings between the leaders of the parties: the king's friends, among whom, for reasons to be presently related, Shaftesbury now took a prominent part, offered to consent to additional severities, to the loss of the peerage, to the confiscation of property, to any thing except a trial on the charge of high treason: but their adversaries were as eager to acquire, as the king was to conceal, the knowledge of the secret negociations with France; the lords found themselves compelled to acquiesce, and, as soon as the bill had passed both houses, Danby surrendered himself to the black rod, and was committed to the Tower. A few days later he put in his answer, in which, having complained of the generality and uncertainty of the articles, he successively denied them all, and then, reciting at large the pardon granted

¹¹ C. Journ. March 24. L. Journ. xiii. 475. Parl. Hist. iv. 1115. Burnet, ii. 196. the previous refusal to commit Danby should not be drawn into precedent. L. Jour. 510. On the 10th of April the lords resolved that

him by the king, pleaded it in bar of the impeachment, and in discharge of all the offences, of which he was accused ¹².

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The eagerness with which the popular leaders hunted down this unfortunate minister, did not cause them to relax in their pursuit of the supposed conspiracy. The two houses still appeared to contend against each other in the race of orthodoxy and loyalty. Informers and arrests were multiplied; every prison in the metropolis was filled with the victims of perjury and suspicion; throughout the kingdom all catholics, not merely those of rank and influence, but artisans, servants, and labourers were summoned to take the oaths, or give security for their behaviour; every priest whom the officers could discover, was committed to take his trial on the charge of high treason; and the king was harassed with addresses for rewards to informers ¹³, for the ejection of papists from the inns of court, and for the removal from employment of all protestants who suffered any of their children to be educated in the catholic faith. Both houses again declared that there had existed and did exist a horrid and treasonable conspiracy contrived by those of the popish religion for the murdering of the king, the subverting of protestantism, and the ruin of the ancient government of the kingdom; and, the more to inflame the passions of the people, it was ordered that this vote should be prefixed to the

Prosecution
of the plot.

¹² L. Journ. 476, 479, 481, 496, 497, 505, 509, 510, 513, 514, 516, 520, 521, 537. C. Journ. March 27, App. 1, 7, 8, 12, 14. Burnet, ii. 197. Reresby, 84—86.

¹³ In consequence of repeated addresses Oates and Bedloe were not only lodged and boarded at the public charge, they also received large sums of money; Bedloe in particular the reward of 500*l.* promised for the discovery of the murderers of Godfrey. In the Appendix, I shall give the bills of expenses delivered in by these men, by Oates on the 11th,

by Bedloe on the 15th of February. That by Oates amounted to 678*l.* 12*s.* 6*d.*, that by Bedloe to 213*l.* When the reader has perused them, he will be at a loss which to admire the most, the impudence of these impostors, or the credulity of the men who condescended to be their dupes. Oates charged the nation 50*l.* for a pretended manuscript of the Alexandrine copy of the Septuagint, which he alleged that he had given to the jesuits in order to win their confidence! See note (A).

CHAP. VI. public form of prayer appointed to be read on the day of the
 A. D. 1679. national fast. So general indeed was the infatuation, so violent
 were the antipathies of those who partook of it, that even the few
 who doubted or disbelieved the existence of the plot, concluded
 “ that it must of necessity be pursued as if it were true, whether
 it were so or not, and that, without the king’s uniting with his
 people on this point, he would never grow into ease at home, or
 consideration abroad ¹⁴.”

Plea of the
 lords in the
 Tower.

April 7

April 15.

The articles of impeachment against the catholic peers in the Tower were at length forwarded by the hands of lord Russell to the house of lords. This instrument charged them, that in union with cardinal Howard, the provincial of the jesuits, and a number of persons, whose names were mentioned, they had conspired to imprison, depose, and murder the king, and reduce the kingdom under the tyranny of the pope; and that for this purpose they had employed persons to take his majesty’s life, had provided men and arms, had corresponded with other conspirators beyond the sea, had accepted commissions from the pope, had caused their priests to administer oaths of secrecy, and had incited their adherents to assassinate sir Edmondbury Godfrey. The lord Petre pleaded at once that he was not guilty, the others that they could not be expected to answer a charge so general and uncertain, which specified neither the times when, nor the places where, the offences were supposed to be committed, and which consequently, by keeping them in ignorance, disabled them from providing witnesses, or preparing their defence. That there was much reason in this objection, can hardly be denied: but the commons pronounced it an evasion, and resolved to demand judgment against the

four lords, unless they put in a different answer. They deemed it prudent to yield, and, saving to themselves the benefit of exception to the generality, uncertainty, and insufficiency of the articles, severally pleaded not guilty¹⁵.

CHAP. VI.
A. D. 1679.

April 25.

On the preceding day had been tried under a special commission, and at the request of the house of commons, Nathaniel Reading, a protestant barrister, once secretary to Masianello in the celebrated insurrection at Naples, but now practising the law in London. He was acquainted with Bedloe, had often given him the benefit of his advice, and occasionally supplied him with money. In Trinity term he had been employed in procuring the discharge on bail of several among the prisoners on account of the plot, and after the dissolution had been consulted on the same subject by some of the lords in the Tower. In a private conversation between Reading and Bedloe it was suggested (but from which of the two the suggestion originated is uncertain), that, in consideration of an adequate reward, the informer might pare down the evidence, which he had already given, so as to render it insufficient to convict the accused of treason. For this purpose Reading, with the concurrence of Bedloe, wrote out an amended form of testimony to be produced on the trial, took it with him to the Tower, and on his return delivered it to his associate. But that associate had previously betrayed him to the committee of inquiry: witnesses had been concealed to overhear their discourse, and the paper in his writing was instantly, but secretly transferred to the custody of a third person¹⁶. The fact could not be denied:

Trial and
conviction of
Reading.

April 24.

¹⁵ C. Journ. App. 3, 23. L. Journ. 500, 517, 521, 535, 542.

¹⁶ This account is taken from the evidence at the trial; but Reading, after he had stood in the pillory, presented a petition to

the king, stating that he had been employed by Bedloe to draw up his pardons, that by free conversation with him he discovered not only his practices against innocent men, but his design of accusing the queen, and that he

CHAP. VI.
A. D. 1679.

Reading sought to extenuate the offence by protesting that the first proposal came from his accuser, and that he joined in it for no other purpose than to prevent the shedding of innocent blood. He was sentenced to stand in the pillory, to pay a fine of 1000*l*. and to suffer a year's imprisonment. Much appeared on the trial to expose the profligate character of Bedloe, but the punishment of the pillory disabled Reading from being afterwards produced as a witness to depose to his frauds and perjuries. Fortunately for the three lords, Powis, Stafford, and Petre, they had refused to send money, or to give any written promise to the informer: yet in the public mind the conviction of Reading created a strong presumption against them, accompanied with a persuasion that the attempt must have proceeded from their consciousness of guilt. It must be confessed that in ordinary times, when justice is fairly administered, such an inference is obvious; but it is not warranted in cases, where innocence can afford no protection against the perjuries of witnesses, and the prejudices of the court and jury. The accused foresaw that, if Bedloe were permitted to give his evidence, their lives would be sacrificed: it is no wonder then, if they were willing to purchase his silence with money, the only object which he sought by becoming an informer¹⁷.

had intended to disclose it to the king, when, to prevent him, Bedloe and his accomplices charged him falsely of the crime for which he had been condemned and punished; which punishment he might have escaped if he would have turned informer against the innocent: wherefore he prayed that he might be admitted to prove the said practice of Bedloe and his confederates. June 4, 1679. To this petition no answer was returned. From a copy of the petition in the handwriting of lord viscount Stafford, now in possession of lord Stafford.

¹⁷ State Trials, vii. 259—310. In answer to the questions put by Reading, Bedloe was

compelled to acknowledge that he had intended and even made preparations to burn the city of Westminster; but that offence, he maintained, was covered by the king's pardon. He confessed also that he had been guilty of perjury on the trial of Whitbread, in swearing that he knew nothing of consequence against that jesuit; but this he attributed to the persuasion of Reading. The fact was, he meant now to appear as a witness at the second trial of Whitbread, and invented this answer as an excuse for the contradiction which would then appear in his testimony. Ibid. 271, 291, 294, 296.

Ever since the short prorogation the king had been occupied in devising and arranging a most important change in the administration of the government. The exile of his brother and the disgrace of Danby had left him without an adviser to whom he dared unbosom himself with freedom and confidence. He had sent for Temple from the Hague to succeed Coventry as secretary of state. But Temple feared the responsibility of such an office in the excited state of the public mind, and suggested to the king to govern for the future without a prime minister, or cabinet council, or committee for foreign affairs; to dissolve the present council of state, consisting of fifty members, as being too numerous for secrecy or dispatch; to establish in its place a new council of thirty individuals, to whom all public affairs should be referred, and by whose opinion the proceedings of government should be regulated; to give a place in this council to fifteen officers of state in virtue of their respective employments; to select the other fifteen from the popular leaders in the two houses; and to take care that the annual income of the thirty counsellors should amount to 300,000*l.*, that it might bear some proportion to that of the house of commons, which was estimated at 400,000*l.* The benefits to be derived from this institution were supposed to be the following: 1°. the determined hostility of the popular party would in all probability be neutralized by the infusion of their leaders into the new council; 2°. in the event of a rupture between the house of commons and the court, the authority of the first would be balanced by the contrary authority of a body almost equal in point of property: for it was assumed as a political axiom that influence always accompanies property; 3°. and the king would be still secure of the ascendancy in the council, because he might at all times command the votes of the fifteen

CHAP. VI.
A. D. 1679.

Plan of a new
council.

CHAP. VI. officers of state who depended on his pleasure for the possession
 A. D. 1679. of their respective employments¹⁸.

Their names. When this had been determined with Temple, Charles called in the lord chancellor, the earl of Sunderland, who had succeeded Williamson as second secretary of state, and the earl of Essex, who by the interest of Monmouth had been placed at the head of the treasury. The first difficulty in the nomination of the new counsellors arose from the mention of lord Halifax. To him the king expressed the strongest dislike; nor was his consent extorted without repeated and most earnest entreaties. Immediately to their surprise he himself proposed the lord Shaftesbury, alleging as the reason that Shaftesbury had it in his power to be still more mischievous than Halifax; and, when they objected that he would never be content to sit down as one among thirty, replied that he should be president of the council¹⁹. Temple was silenced by the authority of the king and the approbation of his three colleagues, and the new council was instituted, containing besides the officers of state the lords Shaftesbury, Winchester, Worcester, Salisbury, Bridgewater, Essex, Bath, Falconberg, Halifax, Robartes, and Hollis, from the ranks of the opposition in the house of lords, and the lords Russell and Cavendish, with Capel and Powle, from the house of commons. Charles deemed the event of sufficient importance to announce it in a set speech to both houses of parliament. In the city and the country the intelligence excited the most tumultuous joy, which was testified by bonfires, and the usual manifestations of national triumph;

¹⁸ Temple, ii. 493—495, 554.

¹⁹ Temple does not attempt to account for this choice on the part of the king; perhaps it may be explained by the remark of James,

that "he thought to keep Shaftesbury from doing him hurt by keeping him in his service." James (Memoirs), i. 558.

and in Holland and Flanders it was hailed as the harbinger of a reconciliation between the king and his people, which would enable England to oppose an effectual barrier to the ambitious projects still attributed to the king of France. There were, however, many who looked on it with very different feelings. The catholics anticipated the aggravation of their present miseries; the most loyal of the old cavaliers believed that the king had delivered himself bound and gagged into the hands of his enemies, and the duke of York from Brussels foretold the downfall of the monarchy or the horrors of a second civil war. But, what created universal surprise, was the air of sullen indifference with which the announcement was received by the house of commons. The other leaders thought themselves entitled to a seat in the new council as much as their colleagues. They declared that they did not understand the measure: it was probably an artifice of the court to lull them into a fatal security: it would be advisable to suspend their judgment, till time had shown in what manner the new system would work. It soon appeared that Capel, Cavendish, and Powle, by their greater moderation, had forfeited the confidence of the house: lord Russell, who continued to speak with his usual warmth, alone retained his former influence ²⁰.

The alteration had certainly been wrung from the king by the necessity of his situation. But though he was prepared to make the most painful sacrifices for the purpose of appeasing the jealousies of the nation, he had resolved to be, and to show that he would be, the master. One of the first measures

CHAP. VI.
A. D. 1679.

The king's
policy.

²⁰ Temple, ii. 497, 556. C. Journ. App. 21. L. Journ. 530. Dalrymple, 216, 217. "Tho' great patriots before in the esteem of both houses, most of them began to lose their

credit with both; so true it is, there is no wearing the court and country livery together." Reresby, 89. Sidney's Letters, 16, 50.

CHAP. VI. recommended by the new counsellors was to weed out of office,
A. D. 1679. and in particular out of the courts of law, and the commissions of lieutenantancy and the peace, all persons suspected of a secret leaning to popery. A new board of admiralty was already appointed, four of the twelve judges were displaced, when Charles persuaded himself that the real object was to remove from power all the real friends of the crown. He took his seat at the board, called for the rolls, and, wherever he found the name of a "bad man to be removed," assigned in his favour some reason so very ludicrous and inappropriate, as to convince the council that he came there not to argue the question, but to be obeyed. This policy succeeded; and after a few meetings the attempt was abandoned ²¹.

Plans of
 Shaftesbury.

The unexpected elevation of Shaftesbury had increased his power without mitigating his hostility. It was supposed by his adherents that he owed his good fortune to the favour of Monmouth, and that the counsels of Monmouth had now that weight with the sovereign, which report had formerly attributed to those of the duke of York. Hence the agitator had little difficulty in persuading the popular party that Charles was not unwilling to concede the exclusion of his brother, but that he would rather have it appear to be extorted from him by the importunity of the house, than to be offered spontaneously by himself ²². The plan of proceeding was arranged with Shaftesbury's usual ingenuity. A report from one of the committees informed the house of a recent attempt of the papists to burn the capital by setting fire to a press in one of the houses in Fetter-lane ²³.

April 26.

²¹ Temple, 557. North, 77. "He found some jocular reason to let him stand; as that he was a good cocker, understood hunting, kept a good house, had good chimes of beef, or kept good fox hounds, or some such

indifferent matter that it was ridiculous to contradict or dispute upon." 78.

²² Temple, ii. 498.

²³ A servant maid confessed that she had been induced to set fire to the press by one

It was immediately contended that these eternal enemies of protestantism had not abandoned their flagitious designs, though so many of their agents had been convicted and executed : that the life of the king was daily in the most imminent danger ; and that his fall would be inevitably followed by the conflagration of the city, the massacre of the orthodox inhabitants, and the ascendancy of popery and arbitrary power. At the same time information was conveyed to the committee of secrecy, that several bodies of French troops had been ordered to march to the coast, to be placed under the command of the duke of York, for the purpose of making a descent in England ; and, when the minds of the members were sufficiently excited by these reports and harangues, votes were moved and carried to provide means for the security of the royal person and of the protestant religion ; to address the king for the revocation of all licences granted to papists to reside in the capital ; to order for execution Pickering, who had obtained a respite, and all priests who had been convicted of having exercised their functions within the realm ; to send by the lord Russell to the house of lords for their concurrence a resolution that “ the duke of York’s being a papist, and the hope of his coming to the crown had given the greatest countenance and encouragement to the conspiracies and designs of the papists ;” and to prepare for the information of the house an abstract of all the evidence which tended in any manner to affect that prince²⁴.

April 27.

Stubbs, who had endeavoured to pervert her, and had promised her a reward of 5*l*. Stubbs confessed that he had been hired by Gifford, his confessor, who told him it was no sin, and promised him 100*l*. reward out of the monies belonging to the church : he added that two Irishmen were to feed the conflagration with fire balls, that the English, Irish, and French papists in London

would form a large army, and that the king of France had sixty thousand men ready to land to their assistance. C. Journ. App. 26. This absurd tale served its purpose for the moment, and was then suffered to be forgotten.

²⁴ James, i. 546. Com. Journ. App. 26.
27. Parl. Hist. iv. 1125.

CHAP. VI. Charles, aware of the real object of these votes, thought it time to interfere, and to moderate by concession the violence of the party. He proposed in the council to enact that, in the event of a catholic succeeding to the throne, all presentations to church livings should be taken from him and vested in protestant trustees; that the parliament in existence at the time of the last king's demise should continue to sit, or, if none were then sitting, the latest parliament that sate, should re-assemble; and that no judges, no members of the council, no lord-lieutenants or their deputies, and no officers of the navy should be appointed or displaced but by authority of parliament. Shaftesbury declared against such expedients; they were an attempt to bind Sampson with withes; they were shackles from which any king might disengage himself without difficulty. But the majority of his colleagues expressed their approbation, and the chancellor in the presence of the king laid the plan before the two houses²⁵. The lords returned an address of thanks; the commons passed to the order of the day, and attended to the report of the committee, appointed to search for evidence against the duke. It stated on the authority of Coleman's letters that he had corresponded with the pope; that his first communication was lost on the way; that the second drew tears of joy from the pontiff; and that in the third he excused the consent which he had given to the marriage of his daughter with the protestant prince of Orange. The lecture provoked an order to prepare a bill for his exclusion from the English throne, and a vote that the members would stand by his majesty with their lives and fortunes, and "if he should come by a

Expedients
proposed by
the king.

April 30.

Rejected by
the house.

May 11.

²⁵ Temple, ii. 501. James (Memoirs), 548. L. Journ. 547. C. Journ. App. 30. Temple joined Shaftesbury in the council, but on a different ground: that, if such

restraint were imposed on a catholic king, they would never be shaken off by his protestant successors. Temple, 502.

violent death, would revenge his death to the utmost upon the papists ²⁶.”

CHAP. VI.
A. D. 1679.

The bill of exclusion provided that, whereas the emissaries, priests, and agents of the pope had seduced James duke of York to the communion of the church of Rome, and prevailed on him to enter into negotiations with the pope and his nuncios, and to advance the power and greatness of the French king, to the end that by the descent of the crown upon a papist, and by foreign alliances, they might be able to succeed in their wicked designs, the said James should be incapable of inheriting the crowns of England and Ireland; that, on the demise of his majesty without heirs of his body, his dominions should devolve, as if the duke of York were also dead, on that person next in succession, who had always professed the protestant religion established by law; that, if the duke of York, who was then in foreign parts, should ever return into these dominions, he should be, and was thereby, attainted of high treason; and that if any one, during the king's life or afterwards, should aid or counsel the said duke, or should correspond with him either within or without the realm, or endeavour his return, or pronounce him the lawful heir, every such person so offending should be adjudged guilty of high treason ²⁷.

Bill of exclu-
sion.
May 15.

In support of this measure it was argued, 1. that the legislative power residing in the parliament was entire and supreme, extending to all matters of policy, and uncontrollable by former enactments: whence it followed that the present parliament was as capable of revising, modifying, repealing laws, and consequently of regulating the succession to the crown, as any

Reasons in
its favour.

²⁶ C. Journ. May 11. Resesby, 89. Sydney's Letters, 65—68.

²⁷ Narrative of divers remarkable Pro-

ceedings in the last Sessions, p. 20. London, 1679.

CHAP. VI. preceding parliament by which that succession had been established : 2. that the great end of government was the common welfare, and that it was therefore the duty of parliament to exclude the duke of York, if it could be shown that such exclusion was necessary to the safety of the nation : 3. that the great inducement to the papists to attempt the assassination of the king, the conflagration of the capital, and the destruction of the protestant religion, was the knowledge that the duke was the next heir to the crown : which inducement, and with it all the dangers which it threatened, would by that bill be taken away : 4. that the preservation of the protestant religion required the exclusion of a prince who would deem himself bound in conscience to labour for its subversion : 5. that he had in fact disabled himself ; for the king by law was head of the church ; and the duke could not take upon himself to be that head, because he professed to believe that the supremacy resided in the pope.

Reasons
against it.

The duke's advocates replied, 1. that there were certain fundamental laws, such as the law of Magna Charta, and the law of succession, which no parliament was competent to alter : 2. that the houses had no right to commit injustice : the crown was the inheritance of the duke ; it belonged to him as truly as the inheritance of an entailed estate belonged to the next in the entail : that to deprive him of it was to punish ; and to punish without charge or trial was contrary to justice : 3. that the dangers to the protestant religion, anticipated from the government of the duke, were not necessarily connected with the succession, because they might be obviated by the adoption of the expedients which the king had suggested : 4. that the exclusion itself presented dangers of a very formidable nature. The Scottish, would not submit to the dictation of the English,

parliament: James would still succeed to the crown of Scotland; he was a brave and persevering prince; he would undoubtedly claim his right by force of arms; he would find a strong party within the realm, and powerful aid from without; and, if he were to obtain the crown by conquest, the protestant religion would be exposed to greater danger, than if he should succeed in the proper course, and under the limitations which had been recommended from the throne²⁸. The great struggle between the parties was reserved for the second reading, preparatory to which the committee of secrecy made its report. Out of the immense mass of papers seized in consequence of the plot, sixty-four letters had been selected; extracts from these, or the substance of certain passages in them, were collected under separate heads; and this collection was read to the house as satisfactory proof of the dangerous designs attributed to the duke. A division followed, and the bill was passed by a majority of seventy-nine²⁹.

CHAP. VI.
A. D. 1679.

May 21.

This result cast a deep gloom over the cause of the duke of York; but his adversaries forfeited by their imprudence the benefit of their victory. They pursued too many objects at once; they were embarrassed and retarded by the necessity of dividing their attention, which was incessantly called from the bill of exclusion to the impeachment of Danby and the catholic lords, and to the angry disputes which speedily grew

Right of
bishops to
vote at trial
of peers.

²⁸ C. Journ. May 15, 21. Burnet, ii. 203. Reresby, 90, 91. Parl. Hist. 1131—1136. "Two days after the committal of the bill," says Reresby, "I was at the king's *couchée*, and wondered to see him quite chearful amidst such an intricacy of troubles, but it was not in his nature to think or perplex himself much about any thing." 95.

²⁹ A copy was sent to the lords, and afterwards the collection was published for the

information of the people, under the title of "The Popish Damnable Plot against our Religion and Liberties fairly laid open and discovered in the Breviats of Threescore and Four Letters, &c. 1680." To an impartial reader these breviats will not offer a shadow of proof; though men whose passions were already inflamed saw in them, with the aid of the accompanying comment, much that wore such an appearance.

CHAP. VI. out of those impeachments. 1. The commons, with the speaker
 A. D. 1679. at their head, proceeded in a body to the house of lords, and
 May 5. demanded judgment against the earl of Danby; but the lords,
 May 6. on his petition, assigned him a day to show with the aid of
 counsel the validity of his pardon, and the commons, in a
 May 9. moment of irritation passed a vote, that if any commoner,
 without the permission of their house, should speak in its
 support, he should be accounted a betrayer of the liberties of
 Englishmen. 2. It was observed that, in all questions con-
 nected with the impeachment of Danby, the crown, with the aid
 of the prelates, could rely on a majority in the house of lords;
 and to deprive it of that majority, the new doctrine was set
 forth, that the bishops had no right to sit and vote on the trials
 of peers in capital cases. Its advocates maintained that the
 prelates, though lords of parliament, were not the peers or
 equals of the temporal lords for the following reasons: 1. they
 sate in parliament only as the actual possessors of certain
 ecclesiastical benefices: they did not come there by inheritance;
 neither could they transmit their seats to their descendants:
 2. there was no instance of a bishop since the reformation
 having been tried by the house of lords: all such trials had been
 by a jury of commoners: commoners were then their peers, and
 of course *they* could not be the peers of the temporal lords:
 3. it was admitted that they never voted on judgment of death:
 now the final judgment often depends on the preliminary pro-
 ceedings, whence it followed that they ought not to vote on
 such preliminary proceedings. It was answered that in the
 ancient rolls of parliament the spiritual lords were styled peers
 of the realm no less than the temporal lords: the only difference
 admitted between them was, that in one case the peerage was
 personal and transmitted by succession to the benefice, in the

other hereditary and transmitted to the heirs of the body : and that, if they had not voted in cases of blood, it was not because they had no right in law, but because in conformity with the canons of the church they had waived their claim. The lords decided that the bishops had a right “ to stay in court in capital cases, till judgment of death came to be pronounced ;” that is “ till the question of guilty or not guilty were put.” That this decision was in strict accordance with the constitution, cannot be doubted ; but its propriety was questioned by the commons³⁰ ; pamphlets, of the most defamatory description were published, and the chief among the prelates expressed a wish to abandon the contest. When orders were given for the trial of the lords in the Tower, they asked leave to withdraw after the usual protestation : but the king insisted that they should at least be present and vote at the trial of the validity of Danby’s pardon. His prerogative, he observed, was at stake, and experience must have taught them that their interest was closely bound up with that of the sovereign : the debasement of the crown would be quickly followed by that of the mitre. The commons persisted in demanding that the trial of the pardon should precede that of the five lords, and that the bishops should be excluded from such trial : but their efforts were fruitless : the lords repeatedly adhered to their former vote³¹.

CHAP. VI.
A. D. 1679.

May 13.

May 16.

May 23.

May 27.

Inquiry into
bribes taken
by members.

To the colleagues of Shaftesbury in the new council, even to those of his own party, it was evident that he sought through the agency of his adherents in the house of commons to create embarrassment and confusion, that he might compel the king to accede to his favourite measures, and place himself with Mon-

³⁰ L. Journ. 570, 572. It was in conformity with the eleventh of the constitutions of Clarendon that the bishops in virtue of their baronies are bound to be present till

“ sentence is about to be pronounced of life or limb.”

³¹ C. Journ. May 15, 26. L. Journ. 575, 577, 580, 584, 586, 587, 590, 594.

CHAP. VI. mouth, whom he governed, at the head of the administration.
 A. D. 1679.

May 23.

He had now brought into play a new engine, the secret committee of the house of commons, which in its endeavour to affix the charge of bribery and corruption on the late treasurer, had traced the annual payment of numerous sums under the denomination of the king's bounty, and of secret service money, to several members of the late parliament. The intermediate agents were Bertie and Fox. The first refused to answer the committee without the royal permission: the second, a member of the house, was ordered to proceed to Whitehall in the custody of three of his colleagues, and to bring back to the house his books, notes, and acquittances. But the king did not sit down tamely under the insult: they had come to search his palace without his permission, and the lord chamberlain by his order commanded them in courteous but peremptory language to withdraw without the expected prize. On their return a list of the members of the last parliament was put into the hands of Fox: he was asked to which of those persons he had ever paid any sum of money, and he named seven-and-twenty individuals, many of whom immediately rose, and declared that their pensions had been granted to them in exchange for offices or beneficial interests which they had resigned to the king. The house resumed the subject the next morning, and having ordered the attendance of witnesses, adjourned the debate for three days ³².

May 24.

Prorogation
of parliament.

Enough had occurred to convince the king that concession served only to inflame the hopes, and embolden the efforts of Shaftesbury and his adherents. He already thought of a prorogation, to prevent the prosecution of this new inquiry, when he

³² C. Journ. May 23, 24. Parl. Hist. iv. 1136—1148.

received advice that a remonstrance of a most inflammatory tendency had been prepared in one of the committees. His resolution was instantly formed: that the document might not be made public he concealed his purpose from the council; and, sending unexpectedly for the commons, prorogued the parliament for the term of ten weeks. It was a sudden and unforeseen stroke to the popular party. At first they stood mute with astonishment: in a few minutes they gave vent to their indignation, and Shaftesbury declared, before he left the house, that the advisers of the measure should pay for their presumption with their heads³³.

CHAP. VI.
A. D. 1679.

May 27.

There remains, however, to be noticed, what has since proved the most important event of this session. The writ of *habeas corpus* had been provided by the common law as a remedy against illegal imprisonment: but the benefits which it promised were gradually impaired and reduced by the ingenuity of lawyers, and the oppression of men in power. The judges assumed the right of granting or refusing the writ at discretion; the sheriffs and keepers invented pretexts to elude obedience; and the privy council hesitated not to send an obnoxious individual into some of the king's foreign dominions, and consequently beyond the jurisdiction of the courts. These abuses had been frequently exposed and lamented; and in almost every session of parliament after the administration of lord Clarendon, attempts to remove them had been made: but bill after bill was lost, frequently by the masked opposition of the court, frequently in consequence of dissensions between the houses, and of successive prorogations. If it passed in the last session, it is chiefly to the exertions of Shaftesbury that we are indebted for

Habeas corpus act.

³³ L. Journ. xiii. 595. Temple, ii. 504. Reresby, 96.

CHAP. VI. the benefit ; a benefit so indispensable for the security of per-
 A. D. 1679. sonal liberty, that it may be thought to atone for much that was
 unjust and disgraceful in the career of that celebrated states-
 man. Its success depended on the result of a conference
 between the two houses : they fortunately agreed ; and the king,
 who waited the return of the managers, gave the royal assent to
 the bill immediately before the prorogation. It made the
 granting of the writ, and the acceptance of bail for offences
 bailable by law, imperative on the chancellor and the judges
 even during the time of vacation ; it took away all prettexts of
 disobedience on the part of officers holding persons in custody ;
 it provided for the speedy trial or discharge of prisoners com-
 mitted for felony or treason ; and it abolished the practice of
 sending persons out of the country, and consequently out of
 the jurisdiction of the courts, by making such expatriation an
 offence subject to the most rigorous penalties, and rendering the
 offender incapable of receiving pardon from the sovereign.
 Still (so powerful was the influence of prejudice) care was taken
 to exclude all persons imprisoned in consequence of the plot
 from the benefit of the act by limiting its operation to such
 commitments as should take place after the first day of the
 month of June ³⁴.

Affairs of
 Scotland.

But from England our attention is now called to Scotland,
 which was still the theatre of civil and religious dissension.
 The covenanters, particularly in the western counties, continued
 to defy the authority of the law ; their obstinacy, partly through
 motives of interest, partly through attachment to the kirk, was
 countenanced and supported by the lords, who professed them-
 selves enemies to Lauderdale ; and the resistance of the people

³⁴ Parl. Hist. iv. 661, 1148. Stat. 31 Car. II. c. 2. By the 56 of George III. this act has
 been considerably improved.

provoked the government to acts of vigour, which, if all that is related of them be true, betrayed an equal disregard both for the rights of the subject and the claims of humanity. Yet the historian who seeks to review these transactions with impartiality, will generally find himself at a loss to determine what he ought to believe, and what to reject. On the one hand the accusers are personal enemies, or men actuated by the wildest and most implacable fanaticism; on the other the trial of Mitchell disclosed on the part of Lauderdale and his associates a scene of prevarication and depravity, which inclines the mind to give credit to whatever may be alleged to their prejudice. Mitchell, the reader will recollect, was the man, who made the attempt on the life of archbishop Sharp. For some years he wandered through Holland and England: at length he returned to Edinburgh, married, and rented a small shop underneath the very lodging of that prelate. It happened one day that the eyes of Sharp met those of Mitchell; he thought that he recognized the features of the assassin; the object of his suspicion was apprehended, and on the person of the prisoner were found a small sword, and a pistol loaded with three bullets. At first he denied the charge; but having in a private conference received from Rothes, the chancellor, a promise of life, he repeatedly acknowledged his guilt in presence of the council. When, however, he understood that it was still intended to punish him with the amputation of his hand and imprisonment for life, he revoked his confession; and the council in return, by an act entered in their register, revoked their promise³⁵.

CHAP. VI.
A. D. 1679.

Trial and
execution of
Mitchell.

1674.
Feb. 10.

March 12.

³⁵ "He did altogether refuse to adhere to his said confessions, notwithstanding he was told . . . that if he would adhere, he should have the benefit of the said assurance, and, if otherways, he should lose the same.

Therefore the lord commissioners . . . do declare that they are free, and that the said Mr. James ought not to have the benefit of any such promise or assurance." Act of council in State Trials, vi. 1259.

CHAP. VI. The lord advocate accordingly indicted the prisoner ; but
 A. D. 1679.

1677.
 Jan. 24.

Nov.

1678.
 Jan. 9.

Jan. 10.

Jan. 18.

The lord advocate accordingly indicted the prisoner ; but whether it was, that he distrusted the force of his proofs, or that he yielded to the desire of Sharp, who refused to prosecute unto death, he deserted the diet, and Mitchell remained three years a prisoner in the Bass. In 1677 he was again summoned before the council, interrogated as to his participation in the rising on the Pentland hills, and subjected to the torture of one leg in the boot. He persisted in his refusal to answer, and was again remanded. But the archbishop had to fear for his life from the fanaticism of others as well as of Mitchell. There were many, who believed that they had a clear call from God, to execute the justice of the Lord on the traitor, who for so many years had wrung his hands in the blood of the saints ; “ the Judas who had sold the kirk of Christ for an annual rent of 50,000 marks³⁶.” It was probably to intimidate such religionists, that the council ordered the advocate-general to prosecute Mitchell for his original offence of attempting the life of the archbishop. By the court of justiciary two questions were previously decided, that a confession before the council could not be withdrawn, because it was not extrajudicial, and that, if any promise were made to induce the accused to confess, that promise must be fulfilled, because the benefit of the contract was not to be taken without payment of the consideration. The jury found on his confession that he was guilty of the offence, and on the testimony of Lauderdale, the archbishop, the lord chancellor, and Hatton, that no assurance of life had been given. Mitchell received judgment, and died, justifying the attempt for which he suffered, from the command of Moses to put to death the false prophet, who should turn the people from the worship of the Lord God³⁷.

³⁶ Russell, at the end of Kirkton, 415.

³⁷ State Trials, vi. 1207—1262. Fountainhall, note to Kirkton, 384—387. Wodrow,

375, 512, 514—519. App. 195—204. Ellis, Orig. Letters, series ii. vol. iv. 49—55. Burnet, ii. 125—132.

This execution, instead of diffusing a salutary terror, acted as a stimulus to revenge. It taught the people to look on the four lords, who gave evidence on the trial, not only as persecutors, but as false witnesses who had not hesitated to perjure themselves, that they might shed the blood of their victim. It is, indeed, impossible to doubt that a promise of life had been given. It was asserted by the sufferer with his last breath; it was recorded by lord Hatton in his private and confidential correspondence; it stood enregistered among the acts of the council: and yet the four lords positively swore that they knew nothing of any promise, or of any warrant for such promise. Did they by subtle and unmeaning evasions seek to silence their own consciences and impose on the good faith of the assize? Even in this hypothesis their conduct will deserve the execration of every honest man³⁸.

CHAP. VI.
A. D. 1679.

Projects of
revenge.

The boldness assumed by the covenanters in the west, and the success with which they had resisted every attempt to suppress their meetings, provoked the council to adopt the most powerful means of reducing them to obedience. A committee of eleven persons was appointed to proceed to the refractory districts accompanied by two thousand men partly regulars and partly militia: there they were joined by six thousand highlanders under their respective chieftains; and, to be ready in case of rebellion, an English force was drawn towards the borders, and an Irish force was stationed opposite the western coast of Scotland. The commissioners called before them and punished delinquents, apprehended suspected persons, disarmed all the inhabitants but noblemen, gentlemen of quality, and officers in the service of the crown,

More coercive
measures.

Jan. 19.

Jan. 29.

³⁸ See State Trials, 1258, 1263. Burnet, ii. 299, note.

- CHAP. VI. and summoned the heritors and feuars to subscribe bonds of
 A. D. 1679. conformity for themselves and their families. Multitudes, how-
 ever, refused to obey: their contumacy was punished by an
 Feb. 14. act of council requiring the recusants to give lawburrows, or
 legal security for keeping the peace: and, with a view to enforce
 submission, the troops were permitted to live at free-
 quarters, fines were imposed, property was distrained, and
 judgments of outlawry were published. The fierce and
 predatory habits of the highlanders had always been subjects
 of terror to the more civilized natives of the lowlands: but these
 Feb. 18. formidable auxiliaries were soon dismissed; and in their place
 a permanent force of militia was distributed in numerous small
 garrisons through the disaffected counties. For its support a
 convention of estates granted an aid of 30,000*l.* sterling for
 July 10. three years, to be levied by monthly assessments after the plan
 originally introduced under the commonwealth: and Lauderdale,
 having obtained the approbation of the king, exhorted the
 council to persevere in their exertions, and to subdue by force
 those, whom they could not allure by conciliation ³⁹.

Murder of
 archbishop
 Sharp.

The men of Fife on the eastern coast did not yield to their western brethren in attachment to the covenant; neither did they suffer less for their contumacy from the severity of the council. Among them was James Russell of Kettle, whose fanaticism had been inflamed by persecution, till he mistook the cravings of revenge for the "outlettings of the spirit." During a fortnight he spent much of his time in prayer; he felt that he was destined to render some extraordinary service to God; and he renewed his former engagements against

³⁹ Kirkton, 385—393. Wodrow, 460, 463, 466, 467, 528. App. 174, 208. Burnet, ii. 134. It is remarked by the editor of Kirkton that, notwithstanding all the com-

plaints made of the conduct of the highlanders, not one Whig lost his life by them. Kirkton, 391. The only blood spilt was spilt by the covenanters.

papists and prelatists, and all other enemies of Christ. Under the influence of these feelings he sought the company of similar enthusiasts; consultations were held to prevent the extinction of the gospel; and it was declared a duty to put to death their chief adversaries, the archbishop of St. Andrews, and Carmichael, commissioner from the council, and commander of the forces. With this view nine of the brethren, having Hackston of Rathillet for their leader, undertook to surprise the latter while he was enjoying his favourite amusement of hunting: but a friendly voice admonished him of his danger, and by a timely flight he escaped from the field to his garrison in Cowpar. The saints were employed in lamenting the disappointment, when a boy, pointing to a carriage with six horses at a distance, cried out "there goes the bishop." "Truly," they exclaimed, "this is of God: the Lord has delivered the wretch into our hands: we must not go backwards, but execute the justice of God." "Gentlemen," said Rathillet, "I am ready to venture all that I have for the interest of Christ: but I will not lead you to this action: for I am the personal enemy of the bishop, and shall be accused of seeking revenge: but I will not prevent you from obeying the call of God, neither will I leave your company." "Then, sirs, follow me," exclaimed John Balfour, a most desperate and barbarous enthusiast; and instantly mounting their horses, they crossed Magus-muir, in pursuit of their victim⁴⁰.

Their approach was soon announced to the prelate, who, turning to his daughter Isabel, his only companion, said, "the Lord have mercy on me, my dear child, for I am gone." The coachman lashed his horses to their utmost speed: but the

CHAP. VI.
A. D. 1679.

April 8.
April 18.
April 22.
April 29.

May 2.

May 3.

⁴⁰ See Russell's own account at the end of Kirkton, 403—416.

CHAP. VI. ruffians overtook them, discharged their pistols into the carriage,
A. D. 1679. wounded the postilion, and cut the traces. Sharp had received but a slight injury from the shot; and Russell at the door cried to him, "Judas, come forth." A short parley ensued. The prelate declared that he had wronged no man; he offered them money, and promised them a pardon: they replied, that they bore him no private malice, but God had imposed on them a duty which they dared not transgress; his time was come; he must make himself ready for death, judgment, and eternity. His daughter alighted with him; both fell on their knees, and the archbishop most piteously begged for mercy, if not for himself, at least for his poor child. Guillan one of the number, but the meanest among them, was moved with pity: he cried, "spare those gray hairs," and solicited, but in vain, the interposition of Rathillet, who stood near, muffled in his cloak. Isabel was in no danger except from her efforts to save her father: the prelate offered his hand to one of the ruffians, who with a blow of his sword nearly severed it from the arm: and Balfour aimed a stroke at his head, which, though partly broken by the hat, inflicted a severe wound along the cheek. He fell on his face, and lay apparently dead: but, his daughter incautiously remarking that life was in him still, the words caught the ears of Russell, who was employed in rifling the carriage. The assassin immediately returned to the body, hacked the scull into fragments, and ordered the servants to take away their priest, and convey him to his home⁴¹. It might have been expected that the perpetrators of the bloody deed would flee from the vengeance of the law: but they only with-

⁴¹ See the several accounts of this murder by authority, by the actors, by Russell, and by the archbishop's brother, in Wodrow, ii.

28, 29, 30, 31. App. 8. Russell, 416, and 419—422, note, 483. Ralph, 458, note.

drew to a neighbouring cottage, where they devoted several hours to prayer, first in common, and afterwards separately, and in private. They felt no fear, no compunction: their minds were composed, their hearts enlarged: they blessed their God, that his holy spirit had led them step by step to the accomplishment of this glorious work, and solicited his grace and strength, that they might, if it were necessary, seal its truth with their blood, as became valiant soldiers of Christ. Nor were their prayers poured forth in vain: Danziel heard a supernatural voice saying: "Well done, good and faithful servants;" and from that moment till the hour of his death (it happened in the course of the month) the soul of the enthusiast was rapt in a transport of joy⁴².

To discover the assassins the council offered the most tempting rewards, and compelled all the inhabitants of Ife to compear on stated days, and clear themselves before their respective presbyteries. But the men, whom they sought, had wound their way by a circuitous route into the west, and at Glasgow their leaders met Hamilton, Cargill, and Spreul. The two last were ministers of the most rigid notions and most daring fanaticism; Hamilton was a young man of family, who had repeatedly exhorted his brethren to draw the sword in support of the gospel of Christ. According to appointment, on the 29th of May, the anniversary of the king's restoration, they entered, to the number of sixty men in arms and on horseback, the little burgh of Rutherglen, and extinguished the bonfires kindled in honour of the day. A sermon and prayer followed; the several acts of parliament subversive of the liberties of the kirk were read by Hamilton, and committed with much solem-

CHAP VI
A.D. 1679.

Insurrection

May 21.

May 23.

May 27.

May 30.

May 26.

May 29.

⁴² I repeat almost the very words of Russell himself, 422, 426.

CHAP. VI. nity to the flames ; and the copy of a declaration or testimony
A. D. 1679. against them was left affixed to the cross in the market place ⁴³.

Their victory
at Drumclog.
June 1.

On the following Sunday they held a field conventicle at Hairlaw, but the exercises of the day were interrupted by the approach of the celebrated Graham of Claverhouse with three troops of cavalry. The covenanters hastened to meet him at Drumclog, where a narrow slip of swampy ground divided the two parties. The dragoons, in their attempt to pass, fell into confusion ; their opponents charged them with halberts and pitchforks ; and Graham was compelled to make a precipitate retreat upon Glasgow. Of the military thirty men perished in the action, besides one, a prisoner, slain in cold blood by order of Hamilton, who had forbidden his followers to ask, or to give, quarter. The conquerors lamented the loss of six of their brethren, but of no one with more sincere regret than of Daniel, the murderer, who cheered his last moments with the assured hope of an everlasting reward ⁴⁴.

June 2.

Their infatuation.

At Rutherglen the fanatics had thrown down the gauntlet of defiance ; at Drumclog they had won the laurels of victory. By most men it was believed that the conflagration would rapidly spread to every quarter of the western counties. But no plan of operations had been arranged, and the leaders despised the counsels of worldly wisdom. God had called on them for their testimony against the enemies of the kirk. They had given it, and cheerfully left the consequences to him, who was able to save with a few as well as with many. Though the council, uncertain of the extent of the danger, had withdrawn the military towards Edinburgh, the insurgents moved not to

⁴³ Wodrow, ii. 44. Russell, 437, 439.

⁴⁴ Wodrow, ii. 46. Russell, 441—446.

“ Russell speired and said, Dear brother Will, ye many times told me ye was sure enough

of heaven : have ye any doubts now ? He scarcely could speak, but said, no doubts, but fully assured—fully assured.” Ibid. 445.

any distance from Glasgow. Volunteers, indeed, continued to arrive, for many thought it a sin to remain idle at home, while their brethren ventured their lives in the field: but the accession of numbers added only to their weakness: the new comers differed in religious opinion from the victors at Drumclog; the time, instead of being devoted to preparations for the approaching contest, was consumed in useless but irritating controversy; and both ministers and leaders spent day after day in discussing the obligations of the covenant, the lawfulness of the indulgence, and the grounds on which it was proper to rest the justice of their cause. Never was insurrection so rashly commenced, or so weakly conducted⁴⁵.

In the meanwhile the duke of Monmouth, after many objections made in council, arrived from London to take the command of the royal forces, and encamped with 5,000 men on Bothwell-muir within two miles of the enemy. An attempt to negotiate was made by the more moderate among the covenanters. Hamilton would consent to no message unless its object were "to represent to the duke the king's, his own, and his associates' rebellion against God, and to desire him to lay down the weapons which he had taken up against the Lord and his people:" but a less offensive petition was composed by Welch the minister and presented by Hume and Murdoch, who received for answer that no proposals could be accepted from rebels in arms: if they would submit, they might expect mercy: but that one half hour only would be allowed for their final determination.

It is supposed that Monmouth according to his instructions sought to suppress the insurrection without bloodshed. He re-

CHAP. VI
A. D. 1679.

Their defeat
at Bothwell
bridge.

June 18.
June 21.

June 22.

⁴⁵ Russell, 448, 453—465.

CHAP. VI. A. D. 1679. fused to pass the Clyde by the ford at the foot of the Aven, where no guards had been placed, and whence he might have charged the enemy in the rear ; nor did he attempt to cross by Bothwell bridge, till some hours after its defence had been abandoned by Rathillet through want, as is said, of ammunition. The covenanters, drawn up on a neighbouring eminence, still continued to consume their time in theological controversy, but a discharge of cannon, which killed fifteen men, warned them of their danger : instantly they turned their backs to flee ; above four hundred fell during the pursuit, and twelve hundred yielded themselves prisoners of war. Rathillet with the men of Fife returned to their own county, whence after many perilous adventures most of them escaped by sea to Holland⁴⁶.

Trial of the
jesuits..

June 13.

In England the fanaticism and adventures of the Scottish insurgents excited but little sensation. The attention of the public was absorbed by subjects of more immediate and commanding interest, the investigation of the pretended plot, and the punishment of the supposed conspirators. By order of the council, the two jesuits Whitbread and Fenwick, who on their former trial had been illegally remanded to prison, were placed at the bar with three others, Harcourt, Gavan, and Turner ; and against them was marshalled a host of formidable witnesses, Oates, Bedloe, Prance, and Dugdale once steward to lord Aston, and on his dismissal from the service of that nobleman, a subordinate informer. Oates, indeed, could only repeat with a few embellishments his former story ; but Bedloe felt himself at liberty to make additional disclosures ; better cheer and more indulgent treatment had wonderfully improved

⁴⁶ Russell, 465—482. Wodrow, ii. 62—67. Sydney's Letters, 95—99. The "Exact Relation published by authority," differs in

several particulars from the preceding authorities. See also "A History of the Ren-counter at Drumclog, &c." by W. Aiton, 1821.

the memory of Prance, and the situation which Dugdale held in the family of lord Aston was supposed to have supplied him with much secret and valuable information. The prisoners rested their defence chiefly on the utter worthlessness of their accusers, particularly of Bedloe and Oates. 1. Against the first they urged that, according to his own showing, he must have perjured himself on Whitbread's former trial: nor did he attempt to deny the charge, but pleaded in excuse that his prevarication at that time was necessary for the success of his intrigue with Reading; and this plea, as far as appears from the printed copy of the proceedings, was admitted as satisfactory by the court and jury. 2. They met the testimony of Oates by pointing out its variance in several points from his former depositions before the council, the two houses of parliament, and at the preceding trials in the court of King's Bench: but the judges answered that they had not those depositions before them: the prisoners might have indicted him for perjury; and if they had omitted to do so, must abide by the consequences of such omission. 3. In answer to his assertion that on the 24th of April he had waited on the accused at their treasonable consult in London, they produced sixteen young men who deposed that they dined on that day in the same room with him at St. Omer, and that during the four preceding and the two following months he was never more than twenty-four hours absent from the college. To rebut this powerful attack on his veracity Oates had provided six witnesses to swear that in the month of May they had at different times seen him in London, or some one like him, or who bore his name⁴⁷; and it was argued that in judging of contradictory evidence more

CHAP. VI.
A. D. 1679.

⁴⁷ On the credibility of these six witnesses see North, 239, 240; and State Trials, x. 1189.

CHAP. VI. credit was due to men who were protestants, who spoke upon
 A. D. 1679. oath, and who were bound to deliver the truth, than to papists, unsworn, and accustomed, so it was pretended, to obtain dispensations for the utterance of falsehood. 4. Again he had given the names of three persons, in whose company he crossed the sea to come to England. Of these, one deposed in open court that he never saw Oates during the voyage, and the servants of the other two, that their respective masters had not on any occasion in the months of April and May been a day absent from their places of abode on the continent. But the minds of men were still too highly excited to give due weight to such testimony : the voice of reason and innocence was stifled by passion and prejudice : the chief justice delivered his charge with his usual partiality, and the jury without hesitation returned a verdict of guilty ⁴⁸.

And of Lang-
 horne.

The next evening the placé of these unfortunate men was occupied by Langhorne, the celebrated catholic lawyer. His case presented an instance of extraordinary hardship. He had been committed to Newgate without any previous examination before a magistrate or the council ; and, until the week preceding his trial, had been kept in solitary confinement, and in complete ignorance of every passing event : yet he was now called upon to plead for his life without any other knowledge of the facts to be charged against him in evidence, than what he could hastily collect from the printed narratives, and the reports of his friends. The moment he appeared, the crowd received him with hooting and hisses ; his witnesses were abused, beaten, and intimidated ; his objections to the credibility of the informers, and his remarks on the inconsistency of their evidence, were overruled by the

June 14.

⁴⁸ State Trials, vii. 311—418. Burnet, ii. 215.

court; and when the foreman of the jury pronounced the verdict of guilty, it was received by the audience with loud and repeated cheers. The other five were then ranged at the side of Langhorne; Jeffreys the recorder, pronounced on them judgment of death, and the hall resounded a second time with the acclamations of the spectators⁴⁹.

The jesuits were the first who suffered. They were already tied to the gallows, and expected each moment to be launched into eternity, when their attention was awakened by cries of "a pardon, a pardon." A horseman rode up at full speed, and delivered to the sheriff a paper which proved to be a pardon on condition that "they should acknowledge the conspiracy, and lay open what they knew thereof." With thanks to the king they replied, that it was not in their power to fulfil the condition, because they could not disclose that of which they possessed no knowledge. The piety which they displayed, and the composure with which they resigned themselves to their fate, gave additional weight to this their last declaration⁵⁰.

Other arts were employed to shake the constancy of Langhorne. He received an offer of pardon, first if he would confess himself guilty, and then if he would make a discovery of such property of the jesuits, with which he had become acquainted

CHAP. VI.
A. D. 1679.

Their execution.
June 20.

⁴⁹ State Trials, vii. 417—490. Burnet, ii. 218. In the life of lord Guilford we are told in defence of the judges, "that the prejudice was so universal and so strong that, if an apostle had spoken against it, no impression would have taken place, nor had it done the prisoners any service; but on the other side not only the rabble, but even the parliament itself, had flounced at it: which consideration turned the scales of their discretion, and made those judges let a vessel drive which they could not stop, and reserve themselves for fairer opportunities. Again they said

that not they but the jury were judges of the fact, and therefore they allowed Scroggs to do as he pleased." (Vol. i. 327.) The falsehood of these pretences was proved by the next trial. Scroggs behaved with moderation, and the accused were acquitted.

⁵⁰ State Trials, 490—451. Burnet, ii. 217. Challoner, ii. 404. Three other jesuits, Mico, Nevil, and Bedingfield, died in prison; a fourth, Jenison, perished in consequence of the injury which he received from the violence of the pursuivants.

CHAP. VI. in his professional capacity. To the last proposal he assented ;
 A. D. 1679. his books were restored to him ; and from them he extracted a
 statement, which was forwarded to the king. It is probable
 that the amount, a sum between 20,000*l.* and 30,000*l.* fell short
 of expectation. In a personal interview Shaftesbury informed
 him that this discovery was not thought of sufficient importance
 to redeem his life ; he must in addition disclose the particulars
 of the plot, and in return for that disclosure he should receive
 any reward which he might ask. The honesty of Langhorne
 withstood the temptation, and he suffered the punishment of a
 traitor, asserting like the others his total ignorance of the
 conspiracy⁵¹.

July 14.

Trial of
 Wakeman
 and others.

Still the thirst for blood was not satisfied ; and four other
 prisoners, sir George Wakeman, the queen's physician, and
 Corker, Marshall, and Rumby, Benedictine monks, received
 notice of trial. They came, however, to the bar under more
 favourable circumstances than those who had preceded them.
 The testimony of the witnesses from St. Omer, and the protest-
 ations of the victims who had suffered, had shaken the credit of
 the plot ; and even the chief justice himself had at last resolved
 to act the part of an indifferent judge. To the statement of the
 informers they opposed so many objections, drawn partly from
 the improbability of the information itself, partly from the
 contradictions with which it teemed, that both Oates and
 Bedloe, from being accusers, were reduced to the necessity of
 defending themselves from the imputation of perjury. The

July 18.

⁵¹ State Trials, vii. 501—530. Burnet, ii. 218. Oates and Bedloe afterwards charged the chief justice Scroggs before the council with having said at the assizes at Monmouth " that he did believe in his conscience that Richard Langhorne, whom he condemned, died wrongfully, to the great disparagement,"

&c. Scroggs replied, that he was more unsatisfied about Mr. Langhorne's trial than all the rest, the more so that he was credibly informed that part of Bedloe's evidence, about Langhorne's writing in his presence, could not possibly be true. State Trials, viii. 172, 173.

chief burthen lay upon the former, who displayed considerable ingenuity in the manner of qualifying his evidence, so as to elude the objections of his adversaries. Though his vexation occasionally betrayed itself in passionate and irreverent expressions, he maintained the contest without flinching, and in a tone of conscious superiority, till he was unexpectedly confronted with sir Philip Lloyd, clerk of the council, who deposed that, when the lord chancellor asked Oates if he knew anything personally of sir George Wakeman, he raised his hands to heaven, and protested before God that he did not; and yet that very morning he had charged him with several overt acts of treason, committed, as he said, in his own presence. This was a blow which he could not parry: feigning indisposition, he asked leave to retire, and the jury acquitted all the prisoners⁵².

CHAP. VI
A. D. 1679

Who are
acquitted

To the patrons of the plot, who were preparing for the trial of the lords in the Tower, such a result was as embarrassing as it had been unexpected. It became necessary not only to support the credit of the informers, but also to prevent the persons acquitted from coming forward to convict them of perjury. To effect the first of these objects, the chief justice was charged with manifest partiality in favour of the prisoners, and reports were circulated that he had received a valuable bribe from their friends: the second was accomplished by inducing Wakeman, through the menace of a second prosecution, to withdraw beyond the sea, and by committing the three monks to Newgate under a new charge of high treason, for having received orders in the church of Rome⁵³.

⁵² State Trials, vii. 591—687.

⁵³ State Trials, vii. 702. North, 185. Oates and Bedloe declared that they would never more give evidence in any court in

which Scroggs presided, and exhibited articles against him before the council. Echard, 988. The articles are in State Trials, viii. 163—174.

CHAP. VI.
A. D. 1679.

Execution of
priests on
account of
their charac-
ter.

But the men accused of a participation in the plot were not the only victims sacrificed to the delusion of the people. It seemed as if there existed a design of wholly extirpating the catholic religion. Rewards were offered by proclamation of 10*l.* for the discovery of any papist or reputed papist within any one of the royal residences, of 50*l.* for the discovery of money or lands belonging to any priest, chapel, college, or religious order, and of 100*l.* for the discovery of any priest or jesuit; the magistrates received authority to visit and search the palace of St. James's at any time, and that of Somerset-house, whenever the queen should be absent; the judges were empowered to reward at their discretion the prosecutors of popish recusants out of the forfeitures of the sufferers, and lists of the catholics or suspected catholics in each county, which had previously been furnished to the committee of the house of commons, were delivered to commissioners with orders to tender to all such persons the oaths of allegiance and supremacy. Their zeal and cupidity were stimulated by reward, and the time of the judges during the circuits was chiefly employed in the prosecution of catholic priests or recusants. The latter paid the fine of 20*l.* per month for absence from church, or forfeited two-thirds of their estates to the king: of the former twenty-four received sentence of death for the exercise of their functions. Most of them after condemnation were sent to London to undergo the ordeal of a private examination before Shaftesbury, and his assistants Oates, Bedloe, and Dugdale. But their innocence was proof against the influence of threats and promises. Not one admitted any knowledge of the supposed conspiracy; not one could be seduced to lend his aid to the informers. The house of commons grew impatient under the delay: several of the members called aloud for their blood; and an address was

presented to the king soliciting their immediate execution. The council remanded them to their former prisons; and having granted reprieves to some, abandoned the remainder to their fate. Pleasington suffered at Chester, Evans and Lloyd at Cardiff, Lewis at Usk, Postgate at York, Mahony at Ruthin, Johnson at Worcester, and Kemble at Hereford. Of these, two had passed their eightieth year⁵⁴.

In the council the ambition of the popular leaders had divided them into opposite parties. Shaftesbury, though aware of the king's aversion, still cherished the hope of acquiring the ascendancy through the influence of his disciple the duke of Monmouth, who had returned from his Scottish expedition, proud of his success against the insurgents, and of the title of highness with which he was addressed by his flatterers. But he saw that he had to contend with two powerful adversaries Essex and Halifax; to their advice he attributed the late prorogation; nor did he hesitate to threaten them with the vengeance of parliament in the next session. At first they sought to mollify his resentment by admitting him and Monmouth to their secret meetings; but there was no trusting to his friendship, and they knew that his power in the house of commons was irresistible. They consulted Sunderland and Temple, and it was resolved to suggest the expediency of a dissolution. The advice met with the approbation of the king,

CHAP. VI.
A. D. 1679.

Dissolution of
parliament.

⁵⁴ C. Journ. April 27, May 22. L. Journ. xiii. 587. State Trials, vii. 715, 726, 740, 811. Kennet, 380, 381, 391. Challoner, ii. 411—449. James, i. 560. "I thought the execution of the priests wholly unjust, without giving them public warning by proclamation to be gone, or to expect the penalties of the law within such a time, since the connivance had lasted now through three kings'

reigns: upon this point lord Halifax and I had so sharp a debate that he told me, if I would not concur in points which were so necessary for the people's satisfaction, he would tell every body I was a papist; affirming that the plot must be handled as if it were true, whether it was so or no." Temple, ii. 506.

CHAP. VI. who was well acquainted with Shaftesbury's intrigues, and with
 A. D. 1679. his intention of bringing forward new charges against the queen
 and the duke of York ⁴⁶. For the sake of form the question
 July 10. was proposed in the council : but by some mismanagement the
 " king's friends " had not been apprized of the royal wish, and
 a decided majority had already pronounced against the measure,
 when Charles, taking advantage of an expression dropped by
 Temple, suddenly turned to the chancellor, and ordered him to
 prepare a proclamation for the dissolution of the present, and
 the calling of another parliament. This act of vigour struck
 his adherents with surprize : it threw the lords Shaftesbury and
 Russell into a paroxysm of " rage " ⁴⁷.

The duke of
 York in
 Brussels.

In the meanwhile the duke of York bore with impatience his
 exile at Brussels. His dearest interests were at stake : and yet,
 instead of being on the spot to oppose the intrigues of his
 enemies, he was detained in a foreign land, and compelled to
 trust to the promises of a brother, whose easy wavering dis-
 position had so frequently yielded to the united and reiterated
 efforts of his opponents. It was true that Essex and Halifax,
 the most influential of the royal advisers, professed themselves
 his friends : but their conversion was very recent, and they
 were friends only after a certain fashion ; that is, as far as
 might suit their personal interests. They exhorted the king to
 maintain the duke's right to the succession, because they knew
 that the ascendancy of Monmouth would infallibly lead to
 their own disgrace : but they sought to avoid the appearance of

⁴⁶ Monmouth's cook had made oath that he heard a person desire Antonio, servant to the queen's confessor, to take care of the four Irishmen, who were to do the business. Antonio was accordingly committed for high treason. Moreover, a Venetian merchant

asserted that sir Henry Tichbourn owned to him, that the object of his journey to Rome was to prosecute, by order of the duke, the design mentioned in the letters of cardinal Howard. James (*Memoirs*), i. 561.

⁴⁷ Temple, ii. 509—512.

advocating the duke's cause, because they feared to share with him the dislike of the people. On every favourable occasion, at the prorogation, on the acquittal of Wakefield, at the dissolution of parliament, James renewed his solicitations for leave to return: but he received invariably the same answer: that the time was not yet come: that his presence would probably lead to insurrection: that he must wait till the public excitement, raised by the plot, had subsided. "Indeed," said Charles in one of his letters, "I should be very unwilling to have a question brought upon the stage, whether or no you should be secured, and you at the same time present, considering how easy it is to have false witnesses, till Oates and Bedloe have their due⁴⁸."

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A. D. 1679.

It chanced, however, that in August the king was confined to his bed by a violent fever. Monmouth was then at court in the zenith of his popularity: he held the office of commander-in-chief; and he had the face to solicit from the sick monarch an order for the duke of York not to remove from Brussels. His object under these circumstances could not be misunderstood. Essex and Halifax met Sunderland, Hyde, and Godolphin at the lodgings of the duchess of Portsmouth; and Charles by their advice despatched a message to James to return to England, but on condition that he should come on his own responsibility, and should go back to Brussels after the king's recovery. The duke lost not a moment: he travelled under a feigned name, reached Windsor in disguise, and was the first to announce his arrival to his brother. Charles, who was now in a state of convalescence, received him most affectionately, and the courtiers crowded round to offer their

He visits the
king at
Windsor.

Aug. 22.

Aug. 23.

Aug. 29.

Sept. 2.

⁴⁸ James (Memoirs), i. 556, 557, 559, 561, 562.

CHAP. VI.
A. D. 1679.

Sept. 12.

Sept. 24.

congratulations. Monmouth alone appeared awkward and embarrassed. On the suggestion of Shaftesbury he rejected the proposal of a reconciliation with his uncle, and occasionally dropt menaces of vengeance against those counsellors who had advised the recal of the duke. By them, to save their popularity, it had been determined that James should immediately go back to Brussels; but at the same time the threats of Monmouth induced them to secure themselves also against his resentment. For this purpose they called the attention of the king to the hard case of his brother, the presumptive heir to the crown, compelled to live in banishment without office or influence, while his intended competitor, who had no other claim than the interest of a factious party, resided in the capital, held the command of the army, and was always ready to seize, as opportunity might offer, the object of his ambition. Charles acknowledged the justice of the suggestion; and, sending for Monmouth, told him that circumstances required him to resign his office of lord general, and to withdraw for a season to the continent. The young man betrayed in his answer a pettishness of disposition, and a feeling of disrespect, which offended the pride, though it did not extinguish the affection, of his father: but in the evening he met Shaftesbury, Montague, and the leaders of his party who advised him to obey; for his banishment would raise him to the dignity of a martyr in the eyes of the people, and the parliament would not fail to demand justice for a prince, whose only crime was his attachment to the religion and liberties of his country⁴⁹. With reluctance he yielded to their authority, and repaired to Holland, where he was coldly received by the prince of Orange, whose claim to the crown,

⁴⁹ James (*Memoirs*), i. 566—570. Temple, ii. 513—518. Burnet, ii. 232. Dalrymple, 247—249.

in the event of the exclusion of James, taught him to look upon Monmouth in the light of a rival. After dinner they walked together in the garden. Monmouth showed the prince a letter from the king promising that the time of his exile should be short, attributed his disgrace not to the jealousy of the duke of York, but to the arts of the duchess of Portsmouth, and of Essex, Halifax, and Sunderland; and solemnly declared that he never had cherished, never would cherish, a thought of aspiring to the crown. They parted with mutual protestations of friendship to which it is probable that neither gave the smallest credit ⁵⁰.

It was evident that considerable inconvenience might arise if, at the king's death, the heir to the crown were resident in a foreign country, and under the control of a foreign prince. This was represented with so much force by secretary Coventry, that the duke received permission to exchange the place of his exile for the capital of Scotland. He returned to Brussels, for the ostensible purpose of conducting his wife and family to Edinburgh, and his intention of residing in that country was announced by authority in the Gazette: but instead of sailing from Holland to Leith, he anchored in the Downs, and requested permission of his brother to remain in England. He had been secretly informed that Charles had no objection: but Essex and Halifax were inexorable: instead of the answer which he expected, he received an invitation to court, and after a short visit proceeded on his voyage. At Edinburgh he was received with the respect due to his rank, and took his place in the council, but carefully abstained from all connexion with either of the parties which divided that kingdom ⁵¹.

CHAP. VI.
A. D. 1679.

Goes to reside
in Scotland.

Oct. 7.

Oct. 9.

Oct. 12.

Oct. 27.

Dec. 4.

⁵⁰ D'Avaux, i. 24, 32, 34.

⁵¹ James (Memoirs), i. 571—575, 580.
Dalrymple, 250. Gazette, 1449.

- CHAP. VI. It had been ascertained that the general result of the elections
 A. D. 1679. was unfavourable to the court; and Shaftesbury waited anxiously
 Unexpected for the meeting of the new parliament, in which he promised
 prorogation. himself an easy victory over his political opponents. But it
 was equally the interest of the king and the two confidential
 ministers to defeat his designs ⁵². To deprive him of the means
 of annoyance which he derived from his office of president of
 Oct. 15. the council, he was unexpectedly superseded by lord Robartes,
 lately created earl of Radnor; and to extinguish his hopes from
 the superiority of his party in the lower house, the king in
 council, without any previous notice, ordered the chancellor to
 prepare a commission for the prorogation of parliament during
 the long space of twelve months. At this announcement the
 members gazed on each other with signs of astonishment: some
 rose to speak, but Charles commanded silence: he had fore-
 seen and weighed every objection, had taken his resolution, and
 would be obeyed. No one ventured to remonstrate; and on
 the very day appointed for the opening of the session, the par-
 liament was prorogued for a few weeks, and afterwards by
 Oct. 17. repeated commissions for a full year ⁵³.
- Its cause. The real motive of the king, which was unknown to the
 council, may be discovered in a secret intrigue between him
 and the French ambassador. A little before the dissolution in
 June 24. July Charles had applied to that minister for relief from the
 pecuniary embarrassments with which he saw himself threatened.

⁵² The name by which he was designated in the correspondence of the royal brothers was "Little Sincerity," the first of which words alluded to his person, the other to his professions of a virtue for which they gave him no credit. Charles said of him that "he had nurrished a snake in his bosome, that Shaftesbury began to play the devil, and

could no longer be suffered." James (*Memoirs*), i. 563.

⁵³ Temple, ii. 521. *L. Journals*, xiii. 597—609. Bulstrode, 304. The reason why short prorogations were preferred may be seen in the life of James (*Memoirs*), 585, 586.

Louis was, indeed, offended at his past conduct : but he did not allow his resentment to stand in the way of his interests. He accepted the apology of his English brother ; he even listened to his proposals, but at the same time affected to set no great value on any services which could then be rendered to him by the English crown. It was to quicken his tardiness that Charles summoned a new parliament when he dissolved the old one. The negotiation then proceeded more rapidly : it was at last agreed that the king should receive from France a pension of 1,000,000 of livres during three years ; and under these circumstances Charles, being no longer at a loss for money, resolved on the prorogation. It chanced, however, that the treaty was not yet signed, and Louis grasped at the opportunity to append to it new and more humiliating conditions. The pride of the king revolted : James advised him to substitute in lieu of the French pension a system of the most rigorous economy ; and Charles following his counsel not only rejected the conditions, but refused to listen to Barillon, when he proposed to resume the negociation ⁵⁴.

CHAP. VI.
A. D. 1679.

Oct. 17.

Nov.

That minister was at the same time called upon to remunerate the services of those who had given him their aid during the last session of parliament. The army had been disbanded ; the lord treasurer had fallen ; they had gained a right to the rewards which had previously been promised. To the duke of Buckingham he paid the sum of 1,000 guineas ; and another sum of 2,500 guineas he distributed in equal portions among Baber, Sydney, Harbord, Lyttleton, and Powle. Montague demanded 100,000 crowns according to the terms of the contract. The ambassador rejected his claim. Danby was

Rewards
given by
France.

⁵⁴ Dalrymple, 229, 230, 233—244, 254, 255. James (Memoirs), i. 564

CHAP. VI. indeed, in prison ; but his trial had not taken place ; it remained
 A. D. 1679. yet to be seen whether the lord treasurer were ruined or not. Montague, on the other hand, complained of such chicanery ; he pretended that to purchase the votes of those who supported him in the house of commons he had mortgaged the larger portion of the money ; and at last, by dint of importunity, obtained 50,000 crowns, one half of his demand ⁵⁵.

Plans of the
 popular
 leaders.

Henceforth, that the reader may form a distinct notion of the events which occurred between the prorogation in October 1679 and the meeting of parliament in October 1680, it will be convenient to arrange them under two heads, of which the first will comprehend the struggles of the two political parties to acquire the ascendancy, the other the discoveries and prosecutions which continued to grow out of that fruitful stock of imposture and injustice, the fictitious narrative of Titus Oates.

I. Shaftesbury and his associates resolved to keep alive the fears and jealousies of the people, and to harass and intimidate the king. 1. On the 17th of November, the anniversary of the accession of queen Elizabeth, a most extraordinary pageant, calculated to make a deep impression on the minds of the populace, was exhibited at the expense, and under the superintendence, of the green ribbon club. First appeared the bellman walking with slow and solemn pace, and exclaiming at intervals, "remember Mr. justice Godfrey : " next came a man, dressed in the habit of a jesuit, bearing on horseback the figure of a dead body ; then followed representations of nuns, monks,

⁵⁵ Dalrymple, 252, 255, 314. From Barillon's despatch it appears that Buckingham demanded 20,000 crowns ; that Baber avoit été fort utile en beaucoup d'occasions, et l'avoit averti à tems de ce qui se passoit dans les différentes cabales, qu'il avoit une étroite

liaison avec Lyttleton—qu'il avoit conservé une correspondance particulière avec le sieur Powle, que le sieur Harbord avoit beaucoup agi dans l'affaire du grand Trésorier, et que M. de Sidney avoit été d'une grande utilité en bien des occasions. Ibid. 256, 257.

priests, catholic bishops in copes and mitres, protestant bishops in lawn sleeves, six cardinals with their caps, and last of all the pope in a litter, accompanied by his arch-counsellor the devil. In this state the procession set out from Moorgate, in the dusk of the evening, amidst the glare of several thousand flambeaux ; perambulated the city in the presence of two hundred thousand spectators, swearing eternal hatred to the principles of popery, and calling for vengeance on the heads of the papists ; and at last halted at Temple-bar in front of the King's Arms tavern. The clubbists instantly appeared at the balconies ; fire works were exhibited ; and, at a given signal, the pope and his attendants were precipitated into the flames with a tremendous shout, " the echo of which," it is observed in the official account published by the party, " reached by continued reverberations to Scotland, and France, and Rome itself, damping them all with a dreadful astonishment." The effect of the exhibition answered the hopes of its authors ; and it was repeated with variations in the two succeeding years : but in 1682 Charles recovered the ascendancy in his capital, and put down the nuisance ⁵⁶.

CHAP. VI.
A. D. 1679.

2. Within eight days after this pageant the duke of Monmouth returned to England. Shaftesbury had sent for him under the pretext that the time of his exile was determined by that of the duke of York : James had obtained permission to reside within the king's dominions, Monmouth had a right to the same benefit. He entered London at midnight ; but the watch announced his arrival ; the bells were rung, and bonfires kindled. Charles resented deeply the disobedience of his son, and the manner of his reception. He ordered him to quit the

Recal of
Monmouth.

Nov. 27.

⁵⁶ See " London's Defiance to Rome." Ralph, 484 ; also North, 571—575. Echard, 985.

CHAP. VI. kingdom immediately under the penalty of perpetual exclusion
A. D. 1679. from the royal presence ; he rejected the petitions of the duchess and of her friends ; and he deprived Monmouth (but successively, and after short intervals, that he might have time for repentance) of his several offices of captain of the guards, of lord lieutenant of Staffordshire, and of the north riding of Yorkshire, of governor of Hull, and of master of the horse. Still the young man set at defiance the displeasure of his father, and pretended to justify his obstinacy under the plea of filial piety. His presence, he said, was necessary. He would either preserve the king's life from the daggers of the papists, or revenge his death, if he should fall by their treason⁵⁷.

A seditious
libel.

3. At the same time, to prepare the public mind for the future pretensions of Monmouth was printed and circulated a most seditious libel, under the title of "an appeal from the country to the city for the preservation of his majesty's person, liberty, property, and religion." The writer called on the citizens to ascend the monument, to contemplate from its summit the magnificent scene which lay at their feet, and then to imagine that they beheld their houses in flames, their children and neighbours massacred, their wives and daughters violated, and their ministers and teachers tortured by the papists. Let them not be deceived : this imaginary spectacle would be infallibly realised on the succession of a popish monarch. Their present safety would last no longer than the life of the king, who (such was the benevolence of his disposition) gave no credit to the plot, and thus exposed himself to the daggers of the assassins. It was therefore time to prepare for the approaching crisis ; to select a man who should lead them against French invaders and

⁵⁷ James, i. 578, 582. Evelyn, iii. 20. Bulstrode, 310. Kennet, 378.

popish rebels. That man was the duke of Monmouth, eminently qualified for command by his birth, his conduct, and his courage. Let the citizens stand by him, and he would stand by them. His fortune was united with theirs. Nor should they forget that "the worst title makes the best king," because, what the prince wants in right, he must supply by concession⁵⁸.

CHAP. VI.
A. D. 1679.

4. Another expedient suggested by the fertile mind of Shaftesbury, was to petition that the parliament might be permitted to sit at the end of the first short prorogation. With this view the kingdom was parcelled out into districts, to each of which particular agents were assigned. They informed the people that, if the king were permitted to govern without a parliament, the ascendancy of popery, and the establishment of despotism would inevitably follow; and for the prevention of these evils they solicited subscriptions to the petitions with which they had been furnished from the head committee in London⁵⁹. Some of the grand juries set the example; the common council followed; and most of the counties and populous towns hastened to tread in the footsteps of the capital. The king at first returned for answer, that it was *his* province, and not that of the petitioners, to judge of the proper time for the sitting of parliament: but his patience was gradually exhausted, and his alarm daily excited. He sought in vain to escape from the approach of the petitioners—they way-laid him wherever he went, and thrust their papers into his hands at the

Petitions for
sitting of par-
liament.

⁵⁸ State Tracts in the reign of Charles II., vol. ii. 401. Parl. Hist. iv. App. xciv.

⁵⁹ From North's account it appears that the art of getting up petitions arrived at perfection in its very infancy. The agents traversed the districts allotted to them, procuring the signatures of those who could write, and "the hieroglyphics of clowns;"

adding in many cases the names of the absent, or of persons not in existence. When the petitions had been returned to the committee in London, the "beadrolls were cut off, and glued in succession to each other," and the whole collection attached to one form of petition similar to that which had been sent into the country. North, 342.

CHAP. VI. most unseasonable times and places—nor could he foresee the
A. D. 1679. consequences of the extraordinary ferment which prevailed in every part of the kingdom, conjoined, as it was, with the pretensions of Monmouth and the boldness of his partisans. To provide against insurrection he furnished Portsmouth, Sheerness, Hull, and other fortresses with trusty garrisons, and to free himself from annoyance he sent for the lord mayor and aldermen, to whom in the royal presence, the chancellor explained, what he termed the law on the subject of petitions, with a strict
 Dec. 10. injunction that they should see it enforced⁶⁰. The next day a
 Dec. 11. proclamation was addressed to all magistrates throughout the kingdom. It is remarkable that this instrument did not deny the right of petitioning, nor pretend that the sitting of parliament was an improper or illegal subject. It attached itself solely to the manner of procuring signatures, and threatened with the utmost rigour of punishment all who should subscribe their own names, or procure the subscriptions of others contrary to the common and known laws of the land. A more unmeaning document could not have been published, and yet it produced an effect which its framers had never anticipated. It turned the popular current into the opposite direction. Numbers, who from the similarity of the late proceedings to those of the year 1641 had foretold a second revolution, were awakened by it from their apathy; the cavaliers and the churchmen, the majority of the gentry and of the merchants, suddenly came forward; and multitudes in every quarter crowded to subscribe addresses to the king, expressing in the most forcible terms their

Counter
addresses.

⁶⁰ This explanation consisted of the resolutions of the judges in the second year of James I. and the provisions of two acts in the reign of Charles II. Somers' Tracts, viii.

122—129. It would, however, require no small portion of ingenuity to show that either the resolutions or the statutes were at all applicable to the petitions in question.

reliance on his wisdom, and their abhorrence of the practices of the petitioners. Westminster set the example; Essex, Middlesex, Surrey, Somerset, Shropshire, and Norfolk followed; and the last county ventured even to offer thanks to the king for the recal of the heir apparent from Flanders⁶¹.

By Charles these addresses were received with joy and gratitude. They dispelled the doubt and apprehension which hung over his mind; they convinced him that he still retained a strong hold on the affections of his subjects; and they encouraged him to adopt a measure as unexpected by his friends as it was by his opponents. Entering the council chamber, he stated that he had derived but little benefit from the absence of his brother; that he could not understand the justice of taking from a prince whose rights were assailed, the opportunity of defending them in his place in parliament; and that he had therefore ordered the duke of York to quit Edinburgh, and to return to his former residence at St. James's. This declaration revealed to the lords Russell and Cavendish, and to Capel and Powle, the degraded situation to which they had been insensibly reduced. When they accepted seats in the council, they probably cherished the hope of gaining the ascendancy through the easy disposition of the king, and the

CHAP. VI.
A. D. 1680.

Recal of the
duke of York.

1680.
Jan. 28.

⁶¹ North, 342. James, i. 581. Bulstrode, 310. Macpherson, i. 100. Here it may be observed that the licensing act, an act which was incompatible with the liberty of the press, had not been renewed in the last session of parliament, and therefore expired of course at the prorogation on the 27th of May, 1679. Authors and printers hastened to avail themselves of their freedom, and publications of every description were poured without intermission from the press. The judges, however, undertook to check what they considered an evil. They resolved,

without a dissentient voice, that not only books reflecting scandalously on the government and private persons may be seized, and the authors and publishers punished, but that no man could lawfully print and publish books of news without authority, and that whoever did so was answerable for the falsehoods contained therein. State Trials, vii. 929, 1127; viii. 187, 198. In conformity with this resolution, the printing of news without licence was prohibited. See Gazette, May 17, 1680.

CHAP. VI. preponderance of their party in the two houses. But time had
 A. D. 1680.
 dispelled the delusion. The parliament was not permitted to sit : Shaftesbury, their leader, had been discharged ; they themselves were no more than nominal counsellors ; their presence served only to give a sanction to measures which they never advised, and which, had the opportunity been given, they would have strenuously opposed. They tendered their resignation, and Charles replied that he accepted it “ with all his heart ⁶².”

Jan. 31.

Denial of
 Monmouth's
 legitimacy.

Feb. 24.

In a short time the duke of York returned to the capital, and had reason to be gratified with his reception. The recorder presented to him a congratulatory address in the name of the city ; a sumptuous entertainment was given to the royal brothers by the lord mayor ; and a general illumination testified the public joy at his presence. To check these demonstrations of reviving attachment in the people, his enemies began to circulate new rumours respecting the king's pretended marriage with the mother of Monmouth. It was said that the witnesses of the ceremony were still alive ; that the contract itself, enclosed in a black box, had been entrusted by the late bishop of Durham to the custody of his son-in-law sir Gilbert Gerard ; and that several persons were ready to depose that they had both seen and perused the important document. By order of Charles every individual named in these reports was sent for, and interrogated before the council, and each disclaimed all knowledge whatsoever of the box, the contract, or the marriage.

April 26.

June 8.

In conclusion two royal declarations were published in the Gazette, in which the king related all these particulars, repeated the deposition which he had formerly subscribed, and to silence the cavillers against it, called God to witness that he had never

⁶² Kennet, 379. James (Memoirs), i. 587. Macpherson, 102.

been married to Lucy Barlow, or to any other woman besides the queen⁶³. CHAP. VI.
A. D. 1680.

5. To parry this blow, the earl of Shaftesbury, on the 26th of June, proceeded to Westminster-hall in company with the earl of Huntingdon, the lord Grey of Werke, the lord Gerard of Brandon, the lords Russell and Cavendish, nine commoners, and the arch-informer, Titus Oates. Being admitted before the grand jury, he described to them the dangers to be apprehended from the possession of the post-office in fee by the duke of York, and the benefit to be derived from the forfeiture of two-thirds of his estate according to the popery laws; offered six reasons why they should look upon him as a papist, and present him for a recusant; and in addition advised them to indict the duchess of Portsmouth as a national nuisance. The last part was intended only to excite alarm in the king's mistress: and the object of the first part was defeated by the address of the judges, who discharged the jury, while a portion of their number was closeted in private consultation with Shaftesbury. In the next term the attempt was renewed; and the duke, on the oath of Oates that he had seen that prince receive the sacrament at mass, was presented as a recusant at the Old Bailey; but advantage was taken of some irregularity in the proceedings, and the cause was removed by writ of certiorari into the court of King's Bench⁶⁴.

Duke of York
presented for
recusancy.

June 26.

Nov. 29.

It was during this period that the appellations of Whig and Tory became permanently affixed to the two great political Whig and
Tory.

⁶³ James, i. 589. Macpherson, i. 101. London Gazette, 1507, 1520. To these solemn appeals of the king it was answered by his adversaries that, if the eye and fear of God could not restrain him from living in adultery, it could not be expected that they

should restrain him from swearing falsely. Somers' Tracts, viii. 187—208, with sir Walter Scot's notes.

⁶⁴ State Trials, viii. 179. C. Journ. Dec. 23, 1680. James (Memoirs), i. 666. Ralph, i, 504, note.

CHAP. VI. parties which for a century and a half divided the nation. The
 A. D. 1680. first had long before been given to the covenanters on the west
 of Scotland, and was supposed to convey a charge of seditious
 and anti-monarchical principles. The second originally designated those natives of Ireland who, having been deprived of the estates of their ancestors, supported themselves by depredations on the English settlers; and was now employed in conversation to intimate a secret leaning towards popery and despotism. Hence the *abhorrrers* branded the *petitioners* with the name of Whigs; and the petitioners in revenge bestowed on their opponents the name of Tories. But in a short time Whig and Tory ceased to be terms of reproach: they were cheerfully adopted by the parties themselves, and became hallowed in their estimation as indicative of the political principles which they respectively professed to cherish and uphold⁶⁵.

Account of
 Dangerfield.

II. To pursue the "Popish plot" through its successive ramifications, would be to impose an irksome task on the feelings and patience of the reader. But out of the new informers, who daily grafted their own discoveries on the original narrative of Oates, two will claim his attention, not so much on account of their superior infamy, as of the purpose to which their evidence was subsequently applied. 1. The first was named Dangerfield, a young man of handsome person and of creditable acquirements, but who, in the course of a few years, had run through a long career of guilt. In different places and for different crimes, he had been condemned to fine and imprisonment, had suffered the punishments of whipping and being burnt in the hand, had stood in the pillory, and had been repeatedly outlawed. Mrs. Cellier, a catholic midwife of

⁶⁵ See vol. vii. c. 2, note 41; c. 7, note 93.

eminence, who collected alms for the relief of the prisoners, found him among the debtors in Newgate, and received from him a petition for pecuniary assistance, with a promise that he would in return purloin the papers of Stroud, a fellow captive, supposed to have been suborned by Shaftesbury as a witness against the lords in the Tower. She satisfied his creditors, and on his discharge employed him to collect certain monies due to her husband. In this occupation he pretended that, by visiting the different coffee-houses, he had discovered the existence of a most dangerous conspiracy. Cellier, through the agency of lady Powis, introduced him to the earl of Peterborough, and Peterborough to the duke of York, to whom he declared that, during the king's indisposition, the principal presbyterians had conspired to raise an army, and seize on the government; that the design, though frustrated for the moment by the king's recovery, was not yet abandoned; and that the paper which he then delivered to his royal highness, would show that commissions had already been distributed, and the plan of a revolution in the government had actually been arranged. James heard him with jealousy and reserve. He gave him indeed twenty guineas as a reward for his good will; but transferred him with his document to the king, who, having ordered him an additional present of forty guineas, commissioned secretary Coventry to watch his conduct, and investigate the truth or falsehood of his story. Coventry thought it unworthy of credit. He gave him back his paper, and demanded something more satisfactory: but Dangerfield could produce nothing besides two letters written by Bulstrode, the envoy at Brussels, to the earl of Shaftesbury. The letters were on indifferent matters: but that they should be in the possession of Dangerfield, was very extraordinary. The king grew

CHAP. VI.
A. D. 1680.

1679.
June 6.

CHAP. VI. uneasy : there was, he declared, some dark and mysterious
A.D. 1680. plot in agitation ⁶⁶.

He is sent to Newgate.
Oct. 20. A few days later, in consequence of an information laid by Dangerfield, the revenue officers searched the lodgings of colonel Mansel, the quarter-master of the supposed presbyterian army, and instead of a prize of foreign lace which had been promised them, discovered a bundle of treasonable papers concealed behind the bed. That these papers were forgeries, appeared on the first inspection ; Mansel traced the contrivance to Dangerfield ; and the council committed him to Newgate. Oct. 23.
Oct. 27. In prison he appeared to be agitated with the most violent remorse. He acknowledged that, at the instigation of Lady Powis and Mrs. Cellier, he had been engaged in a sham plot for the purpose of covering a real one : the presbyterians were innocent, the papists guilty : lord Arundel had offered him 2,000*l.* as a reward for the murder of the king—that bribe he had the virtue to refuse—then lord Powis offered him 500*l.* to assassinate the earl of Shaftesbury—he yielded to the temptation : but twice his heart failed him, and lord Peterborough reproached him with cowardice. In conclusion, as a proof of the sincerity of his repentance, he declared that the original of the notes shown by him to the king, the document on which the sham plot was to have been founded, lay concealed in a meal-tub in the house of Mrs. Cellier. There the paper was accordingly discovered ; and thence, the whole transaction is known in history by the name of the meal-tub plot. Oct. 31.
Turns in-former.

His testimony is disbelieved. In consequence of these disclosures lady Powis was committed to the Tower, but escaped the danger of a trial, the bill against

⁶⁶ Dangerfield in his "Particular Narrative" (p. 39) says that he waited on lord Shaftesbury to kill him at the instigation of

the papists, and being left alone for some time took the opportunity of stealing these letters.

her being ignored by the grand jury of Middlesex. Mrs. Cellier was imprisoned in Newgate, where Shaftesbury, Sir William Waller, and Dangerfield himself, solicited her to turn informer : but her resolution set them at defiance ; and, on her trial she satisfied the court, that her accuser was too infamous in law to be admitted as a credible witness⁶⁷. Her acquittal induced the attorney-general to postpone for a few days the trial of lord Castlemaine, who had been charged with high treason : and in the interval a full pardon was granted to Dangerfield, that he might be enabled to support the evidence of Titus Oates. But no pardon could remove the stigma which had been impressed on his character by sixteen convictions in different courts ; the jury refused to give credit to his oath, and lord Castlemaine also obtained an acquittal⁶⁸. The informer, however, was not abandoned by his patrons : they kept him in reserve till the meeting of parliament ; and hoped to influence by his testimony, infamous and degraded as he was, the deliberations both of the lords and commons.

CHAP. VI.
A. D. 1680.

May 24.

June 11.

June 23

The mystery which covered the meal-tub plot has never been completely developed. There were many, who believed that the catholics, indignant at the unjust persecution which they suffered, sought to retaliate on their accusers by forgeries similar

⁶⁷ Dangerfield having published his narrative, Mrs. Cellier, who as a writer was more than a match for him, published a vindication of herself, with an account of her trial, under the title of "Malice Defeated ; or a Brief Relation of the Accusation and Deliverance of Elizabeth Cellier." Some passages in this tract, respecting the treatment of the prisoners in Newgate, exposed her to a second trial (Sept. 13) for a libel. She was found guilty, and condemned to pay a fine to the king of 1,000*l.* and to stand thrice in the pillory. State Trials, vii.

1183—1218. By North we are told that the real object of the second prosecution was to disable her from becoming a witness in favour of the lords in the Tower. North, 264.

⁶⁸ State Trials, vii. 1067, and lord Castlemaine's manifesto, who bitterly complains that in the report of his own and of the other trials respecting the popish plot, great partiality to the informers is shown by the publishers, and much injury done to the cause of the accused. P. 39.

CHAP. VI. to those which had been employed against themselves. Others
 A. D. 1680. looked on Dangerfield as the mere tool of Oates; and that the real object of both was to inveigle some catholics into an attempt to fix a pretended plot on the presbyterians, that, by denouncing them, they might prop up the declining credit of the original imposture. But the king was convinced that his real instigators, whoever they might be, aimed at a higher quarry: that they sought to draw the duke of York into some practice, which might add fuel to the popular prejudice against him, and minister additional arguments in favour of the bill of exclusion. The use which was afterwards made of Dangerfield seems to confirm this conjecture ⁶⁹.

The York-
shire plot.

1679.
June 24.

Aug. 16.

2. A short notice may suffice for Bolron, from whom was derived the Yorkshire branch of the plot. He had been the manager of sir Thomas Gascoign's coal-pits, had made free with the money of his employer, and had been threatened with a prosecution for felony by lady Tempest, the daughter of sir Thomas. In his alarm he sought to shelter himself under the mantle of an informer: but the county magistrates, before whom he laid his information, convinced by their personal knowledge of its falsehood, refused him the warrant which he demanded. Bolron hastened to London, made a second and more ample deposition before the earl of Shaftesbury, and subsequently added a third, which supplied the deficiencies, and reconciled the inconsistencies of the preceding. From London the informer was sent back to Yorkshire to procure a second witness, whom

⁶⁹ For this account of the meal-tub plot, I must refer my readers to the notes of the chief justice North, written at the time (North, 265), to Dangerfield's "Particular Narrative" in 1679, Cellier's "Malice Defeated" in 1680, Dangerfield's "Answer to

a certain scandalous, lying Pamphlet entitled, *Malice Defeated*," 1680, Cellier's rejoinder of "The Matchless Rogue," 1680, the *Lords' Journals*, xiii. 667, Castlemaine's *Manifesto*, 1681, and *State Trials*, vii. 1043—1112.

he found in Maybury, a servant lately discharged from the family on suspicion of theft. Sir Thomas Gascoign, who was in his eighty-fifth year, was tried at Westminster before a jury of Yorkshire gentlemen. The two witnesses deposed that he, his son Thomas, his daughter lady Tempest, his nephew Mr. Thwinge, sir Miles Stapleton, Mr. Ingleby, and some others, had subscribed money towards the assassination of the king, and the propagation of the catholic faith, and that they themselves had been initiated in the conspiracy by taking what they called "the papists' bloody oath of secrecy." For the defence it was proved by the prisoner's solicitor, that Bolron never made any charge against his master till he had been threatened with a prosecution; by the two magistrates that his deposition before them bore very little resemblance to his evidence in its present improved form; and by a host of unimpeachable witnesses, that neither he nor his associate Maybury had any claim from their previous character to the belief of the court. The old man was acquitted: and the other cases were sent back to be tried in the county. Lady Tempest proved equally fortunate with her father, but a third jury convicted Thwinge, while a fourth acquitted Ingleby, and a fifth sir Miles Stapleton⁷⁰. It was evident that if the others were innocent, Thwinge could not be guilty; and the king, under this conviction, granted him a reprieve: but the ministers dared not face the house of commons, as long as a single individual under condemnation for the plot remained alive, and on the day after the meeting of parliament, in consequence of their remonstrances, Thwinge suffered at York the death of a traitor⁷¹.

CHAP. VI.
A. D. 1680.

1680.
Jan. '24.

July 28.

July 29.

⁷⁰ State Trials, vii. 959—1043. The Narrative of Lawrence Mowbray, of Leeds, Gent. 1680. The Narrative of Robert Bolron

of Shippon-hall, Gent. 1680.

⁷¹ Low as the credit of Bolron was sunk, he was again brought forward, and made to

CHAP. VI.
A. D. 1680.

Conduct of
the king.

Of the duke
of York.

The summer passed away amid the hostile preparations of the two parties. The king (satiety had now blunted his appetite for pleasure) spent his time in privacy at Windsor; and, as if he had no subject of disquietude on his mind, amused himself with angling, walking in the park, and superintending the improvements in the castle and the adjoining grounds⁷². But James was more anxiously employed. He watched with solicitude the intrigues of the party, and laboured to impress on the royal mind a persuasion, that the real object of his enemies was the subversion of the monarchy, and the re-establishment of the commonwealth. He observed that many of them were men, who having acquired power and influence in the revolution, still cherished, under the mask of patriotism, their former principles: that they put forward the safety of religion, as they had done during the rebellion, for the sole purpose of inflaming the people; that they had begun with the bill of exclusion to make the monarchy elective; and that, when they had accomplished that object, they might, indeed, gratify Charles with the title and the revenue of a king, but would reduce him in point of power to a level with the doge of Venice⁷³. There is no doubt that James was correct, as far as regarded the views of Algernon Sydney, and his confidential friends⁷⁴: but the majority of those, who advocated the bill of exclusion,

publish, with permission of the house of commons, a most infamous forgery entitled "The Papists' Bloody Oath of Secrecy, and Litany of Intercession," 1680. See the tract and the journals of Dec. 16, 1680. The publication was well-timed; it took place in the interval between the condemnation and the execution of lord Stafford.

⁷² "Certain," says Reresby, "it is, that he was much better pleased with retirement than the hurry of the gay and busy world." Reresby, 100.

⁷³ James (Memoirs), i. 595, 598, 613, 614, 632. Dalrymple, 266.

⁷⁴ James (Memoirs), 635. Dalrymple, 257, 282, 312. D'Avaux, i. 9. Barillon describes Penn, le chef des trembleurs, as united with Sidney, and à la tête d'un fort grand parti. Dalrymple, 282. See also Penn's letters on election matters to Sydney, in the Sydney Papers, i.; Memoir, p. 154, 155; and Mrs. Cellier's examination, Malice Defeated, 31.

were not unwilling to perpetuate the monarchy, though their leaders sought to strip it of many powers which it still possessed and which they deemed inconsistent with the rights of the people. But if James were removed from the succession, whom did they intend to substitute in his place? They were divided between the two competitors, the prince of Orange in right of his wife, the eldest daughter of James, and the duke of Monmouth, as the son of the king. That the ambition of the former was not insensible to the splendid prize which fortune seemed to offer him, is certain; and much has transpired to provoke a suspicion that he secretly promoted the plan of exclusion. With this intention Van Lewen was sent to England, in quality of envoy from the States, but with instructions to press on the mind of the king the necessity of preserving a good understanding between him and the parliament. Frimans followed Van Lewen in a private capacity, but for the purpose of treating clandestinely with the leaders of the country party. Among the ministers Godolphin and Sunderland, both high in the royal confidence, were already won to his interest, and Hyde, though devoted to James through gratitude and attachment, felt no inclination to oppose the cause of his niece, the princess of Orange⁷⁵. The hopes of Monmouth rested on the yet unextinguished affection of the king, who in a private interview had forgiven his past conduct, and on the assurances of support from Shaftesbury, from Montague, and perhaps from their intimate associate, lord Russell. Of himself he put forth no pretensions; he had nothing in view but the common welfare of the nation. Laying aside all political engagements, and assuming the appearance of a man of pleasure, he made a tour

CHAP. VI.
A. D. 1680.

Of the prince
of Orange.

Of the duke
of Monmouth.

⁷⁵ D'AvauX, i. 34, 43, 45, 49, 53. Dalrymple, 205, 209, 271.

CHAP. VI. of the kingdom, and visited the most celebrated fairs, races, and
 A. D. 1680. assemblies of amusement. His friends, however, were careful
 to announce his coming beforehand, to sound forth his praises
 and his rights, and to collect multitudes to greet his arrival.
 On one occasion, when he visited sir William Portman, near
 Taunton, he is said to have been met by twenty thousand
 persons; and afterwards, when he accepted an invitation to
 dine with the city, it was observed that the royal arms were
 emblazoned on his carriage, without the bar, the heraldic token
 of illegitimate birth ⁷⁶.

Intrigue
 against
 James.

In June Charles had concluded a treaty with the king of
 Spain, by which the contracting parties had engaged to main-
 tain the peace of Nimeguen, and to aid each other with their
 whole force in the case of aggression on any part of their
 respective dominions in Europe ⁷⁷. This treaty had been
 devised by the prince of Orange to curb the ambition of Louis,
 who was still believed to cherish hostile designs against the
 Spanish territories in the Netherlands; and it was strongly
 seconded by the advice of Temple and Sunderland, as calcu-
 lated to refute the general opinion that the king still suffered
 himself to be swayed by French counsels. In August he
 announced his intention of meeting the parliament on the 21st
 of October, and the announcement stimulated the opposite
 parties to new exertions preparatory to the contest. It was
 evident that the adversaries of the duke had acquired in the
 interval a considerable accession of strength. The boldness
 of Shaftesbury in presenting that prince for recusancy, had
 indissolubly bound the noblemen and gentlemen, who accom-
 panied him, to his party—they had gone too far to withdraw :

⁷⁶ Sydney's Letters, 54.

⁷⁷ Dumont, vii. par. ii. p. 2.

they must ruin the presumptive heir or be ruined by him— and it confirmed the wavering fidelity of some among their followers, who conceived that no reasonable man would have ventured on such an attempt without full assurance of success. In addition they could now command the services of Sunderland and Godolphin, who, from the moment that they devoted themselves to the interests of the prince of Orange, had pledged themselves to the leaders to promote the bill of exclusion. They had won a still more powerful auxiliary in the duchess of Portsmouth. Her terrors had been excited by the threat of an indictment, and were kept alive by the publication of articles of high treason and other misdemeanours against her⁷⁸. She sought a reconciliation through the agency of lord Howard of Escrick, and to lull the suspicion of Charles, attributed her interviews with that nobleman to her desire of mitigating the hostility of the party. A treaty was concluded between her on one side, and Monmouth, Shaftesbury, and Russell on the other: it was stipulated that they should suppress all proceedings against her, and that she should employ all her influence with the king in aid of the bill of exclusion. With this view she was commissioned to offer him a large supply of money, with the power of naming his successor in the same manner as it had been conferred on Henry VIII. Gradually he was brought, or at least pretended, to listen to these terms. Monmouth had little doubt that he should be the person named by his father: the duchess indulged a hope that her own son by the king might prove the successful competitor⁷⁹.

CHAP. VI.
A. D. 1680.

Who returns
to Scotland.

⁷⁸ See it in Somers, Tracts, viii. 137.

591, 594, 599, 615. Macpherson, i. 104.

⁷⁹ Temple, ii. 531. James (Memoirs), i. Dalrymple, 264, 270, 272, 279.

CHAP. VI. ignorance of this intrigue, till the court returned from Newmarket, when Essex, Halifax, Sunderland, Godolphin, and the duchess of Portsmouth took opportunities to represent to the king, separately and, as it were, without concert, the necessity of his brother's departure before the opening of parliament. He permitted them to signify their opinion to James, who received it with strong expressions of displeasure. Experience, he said, had convinced him that his presence proved an encouragement to his friends, his absence to his enemies. The question was then laid before the council, where eleven out of eighteen members spoke in his favour; but the king, with those in the secret, contrived, by putting hypothetical cases, to embarrass the deliberation, and the next day informed the duke that reasons of state rendered his absence indispensable during the approaching session. At these words the unfortunate prince appeared sunk in despair: and to console him Charles most solemnly promised that he would never surrender but with his life the rightful descent of the crown, the command of the naval and military force, and the power of calling, proroguing, and dissolving parliament. James, for a last favour, solicited a general pardon, as a protection against impeachment during his absence: but the king replied that a pardon was unnecessary. If the commons talked of an impeachment, he would meet the attempt with a dissolution. Convinced that he was abandoned by his brother, the prince with a heavy and misboding heart, went on board his yacht, and sailed for Leith, the day before the meeting of parliament ⁸⁰.

Oct. 20.

⁸⁰ James (Memoirs), i. 594—600. Dalrymple, 265, 268. Macpherson, i. 105. In conversation with Barillon before his departure James says en termes pleins de colere et de ressentiment, que si on le pousse à

bout, et qu'il se voit en état d'être entièrement ruiné par ses ennemis, il trouvera les moyens de les en faire repentir . . . cela veut dire qu'il espère pouvoir exciter des troubles en Ecosse et en Irlande. Hence Dalrymple

Barillon had carefully watched the progress of these intrigues, and received instructions from his court to make it his chief object to prevent any grant of money in support of the Spanish treaty, and for that purpose to foment by every expedient in his power the dissension among the several parties. He informed the popular leaders that Louis considered it as much his interest as theirs to confine within the narrowest limits the powers of the crown, and would therefore be always ready to aid them in their efforts to secure the liberties of the people. To James he made the offer of pecuniary aid, whenever that prince might deem it expedient to draw the sword in support of his own rights. If the king should seem disposed to an union with the popular party, the ambassador was authorized to prevent it by offering a yearly pension, provided he would withdraw from his treaty with Spain, and govern without a parliament: and should the bill of exclusion be carried, and a necessity exist of choosing between the prince of Orange and Monmouth, he was instructed to support the former, though a personal enemy, in preference to the pretensions of a bastard. Barillon immediately began to intrigue, and with the distribution of a few thousand pounds, purchased the services, or a promise of the services, of several among the more influential members of the house of commons ⁸¹.

CHAP. VI.
A. D. 1680.

Intrigues of
Barillon.

(269), and Heywood (316) represent him as intending to excite a rebellion against his brother; an inference which certainly is not warranted by a sudden burst of passion.

⁸¹ Dalrymple, 271, 277, 278, 279, 280—285. Besides Montague, whose services were secured by other payments, Hambden member for Buckinghamshire, Titus for Huntingdonshire, Herbert for Wilton, Hill for Agmondesham, Harbord for Camelford, Armstrong for Stafford, and Boscawen for

Tregony, with Algernon Sydney and Baber, neither of whom sat in this parliament, received severally 500 guineas: Sacheverell member for Derbyshire, Foley for Bewdley, Bide for Hertford, Bennet for Shaftesbury, Hotham for Beverley, Garroway for Arundel, Frankland for Thirsk, and Harley for Herefordshire, with Hiedall and Compton, two agents, were satisfied with the smaller sum of 300 guineas. See Barillon's account, dated December 4, O. S. in Dalrymple, 316.

CHAP. VI. It was the intention of the Whigs that the bill of exclusion should originate in that house. The plan of operations

Disclosures to
the house of
commons.

Oct. 26.

was traced by the hand of Shaftesbury, and did honour to the ingenuity of its author. As soon as the members had taken the oaths, Dangerfield appeared at the bar to accuse the presumptive heir to the crown. Though he stood there with the accumulated infamy of sixteen convictions on his head, though his testimony had been rejected by the verdicts of three successive juries, he was received with approbation, and listened to with credulity. He solemnly affirmed that the duke of York had been privy to his imposture of a presbyterian plot, had given him instructions to forge and distribute the lists and commissions, had made him a present of twenty guineas with a promise of a more substantial reward, had turned into ridicule his scruple of shedding the king's blood, and had commanded him to persevere without dread of the consequences⁸². Before the indignation excited by this disclosure had subsided, lord Russell rose, and moved that it should be the first care of the house "effectually to suppress popery, and prevent a popish successor." He was seconded by sir Henry Capel who, in the whole reign of the king, during the lapse of twenty years, could see nothing but the prevalence of popish counsels. Whether toleration was granted or denied, whether war was declared or peace concluded, whether the king sought to conciliate the two houses by concession, or cut short their debates by a prorogation or dissolution, every measure, no matter what might be its apparent motive, proceeded from the secret influence of the papists in the prosecution of their great objects, the destruction of protestantism, and the elevation of a popish prince to the throne.

⁸² L. Journal, xiii. 667; and "The Information of Thomas Dangerfield, Gent. 1680."

From the same impure source he derived the many acts of arbitrary power, which marked the king's reign, the burning of London, the destruction of the fleet in the river, the attempts on the life of their protestant monarch, and that hellish plot, for the discovery of which they were indebted to the mercy of Providence and the agency of Titus Oates. Montague and others followed in the same tone of invective and crimination, and the resolution was adopted without a dissentient voice ⁸³.

It was of importance not to suffer the vindictive feelings, kindled by these harangues, to cool through procrastination, or the want of additional excitement. Two days later the deposition of Bedloe on his death bed, confirmatory of his former testimony, was read to the house ⁸⁴: soon afterwards Francisco de Faria, a converted Jew, came forward to declare that a proposal to assassinate Oates, Bedloe, and Shaftesbury, had been made to him by his late master, the Portuguese ambassador; then Dugdale related at great length his proofs of the guilt of the lords in the Tower; next came Prance to make additions to his old tale of the murder of Godfrey; and last of all Mr. Treby made a full report of the several informations respecting the plot, which had been collected by the industry of the committee appointed in the last parliament. In conclusion the house passed the three following votes, 1. that the conspirators had been led

CHAP. VI.
A. D. 1680.
Bill of exclusion ordered.

Oct. 28.

Oct. 30.

Nov. 1.

Nov. 2.

⁸³ C. Journ. Oct. 26. Parl. Hist. iv. 1162—1172. James, i. 601.

⁸⁴ Bedloe during his sickness at Bristol sent for the chief justice North, and before him and several others declared that the evidence which he had given was true, and lamented the danger to which the protestant religion was exposed. He then expressed a wish to communicate important information to North alone: all but his wife and North's clerk left the room: the sick man was sworn, and

declared that the duke of York was a party to the plot, with the exception of the murder of the king, and that the queen had given money for the propagation of the catholic faith, but was, as far as he knew, ignorant of any mischief designed to the king. This deposition was read over to him: he approved of it, and declared that he had nothing to add to it. Its publication greatly disappointed the expectation of the party. State Trials, vi. 1493. North, 252—255.

CHAP. VI. to engage in the plot by their knowledge that the duke of York was a papist; 2. that if any violence were offered to his majesty's person, it should be revenged on the whole body of the papists; 3. that a bill should be introduced to disable the duke of York from succeeding to the imperial crown of England⁸⁵.

Accession to
the Whig
party.

Had the adherents of the court united in his defence with "the party volant" (so the independent members were called) James might yet have bidden defiance to the formidable host which stood in array against him. But means were devised to intimidate the one, and to attract the other. The expulsion and imprisonment of sir Francis Wythens, for the presentation to the king of the Westminster address expressive of "abhorrence of the petitions," and of sir Robert Canne, because at Bristol he had hinted an opinion that a presbyterian was more probable than a popish plot, showed how dangerous it was to provoke the displeasure of the leaders; and a number of petitions against undue returns, petitions levelled chiefly against the courtiers, taught them to tremble for the possession of their seats, and to propitiate those on whose votes their subsequent fate must depend. On the other hand the party volant was induced to give their aid to the Whigs, on considerations drawn from the sudden departure of James, and the warmth displayed by lord Russell and sir William Jones. The king, it was argued, would never have banished his brother a second time, had he not seen the necessity of yielding to the popular ferment: nor could it be supposed that a nobleman so cautious as lord Russell, with such a princely fortune at stake, or a lawyer so eminent in his profession as Jones, with such a brilliant prospect

⁸⁵ C. Journ. Oct. 28, 30; Nov. 1, 2.

before him, would have embarked so eagerly, so violently, in the cause, without some secret assurance of being able to bring it to a successful issue ⁸⁶.

CHAP. VI.
A. D. 1680.

In the debates respecting the bill of exclusion, the speakers on both sides did little more than repeat the arguments which they had enforced in the last parliament. The principal novelty was an allusion to the unacknowledged claim of the duke of Monmouth. Why, it was asked, did the bill contain no provision in case the duke of York should return to the protestant church? For what purpose had all mention of his children been so cautiously avoided? Why was not the right of succession declared to reside in them? "They talk, indeed," exclaimed colonel Legge, afterwards earl of Dartmouth, "of another successor in a black box; but, if that Pandora's box is to be opened, I hope it will be in my time, and not in that of my children, that I myself may have the honour of drawing my sword in support of the rightful heir." The advocates of the bill were content to reply, that as it named no one but the duke, the disability would apply solely to him; he would be dead in law; and the crown would of course descend as if he were naturally dead ⁸⁷.

Debate on the
bill.
Nov. 4.
Nov. 8.
Nov. 10.

In the mean time Shaftesbury, to the surprise of the uninitiated, paid several visits in public to the duchess of Portsmouth: and yet the negociation, which had commenced under her auspices, proceeded but slowly. Charles had descended from the demand of 800,000*l.* to the sum of 600,000*l.*: but

Message from
the king.

⁸⁶ C. Journ. Oct. 28, 29. Temple, ii. 532.

⁸⁷ State Tracts, 85. Parl. Hist. iv. 1175—1215. James, 601—613. The bill proposed to enact, that if James survived the king, the crown should descend and be en-

joyed by such person and persons successively during the life of the said James, duke of York, as would have inherited and enjoyed the same in case he were naturally dead. See it in State Tracts, ii. 91.

CHAP. VI. neither party dared to place confidence in the good faith of the other ; he insisted that the parliamentary grant should precede, the Whigs that it should follow, the exclusion of the duke ⁸⁸.
 A. D. 1680.

The king, at the suggestion of Halifax, sought to bring the question to an issue by a message to the house of commons, in which he professed his readiness to concur with them in any measure of precaution, which did not infringe on the lawful descent of the crown. But it was determined to pay no regard to this message, and while the committee prepared an answer, the managers added a new stimulus to the fears and prejudices of the members by the announcement of another conspiracy lately discovered in Ireland.

The bill is
 passed.

From the very beginning, it had acted as a drawback on the credit of the English plot, that there existed no trace of any similar design in Ireland, where the catholics were so much more numerous, and had experienced so many more grievous and more recent causes of irritation. Ormond carefully executed the orders of the English council, though he was convinced that they were not called for by any fault of the natives. He disarmed the catholics, suppressed all schools and convents, shut up the chapels in the principal towns, and commanded by proclamation all catholic priests to quit the island by a certain day. Next, in obedience to new instructions, but in opposition to his own judgment, he offered rewards to informers respecting the plot, and immediately a few men of desperate fortunes and abandoned character came forward. But they met with little credit among their countrymen. Most of the accused were dismissed after examination by the Irish council, and the others, who took their trials, were acquitted by protestant juries ⁸⁹.

⁸⁸ James (*Memoirs*), i. 640, 645. Burnet, ii. 254, and note. Dalrymple 279.

⁸⁹ Carte, ii. 477—498, 513—516. App. 99.

The friends of the plot were not discouraged. They summoned the disgraced informers to England, sent them back with new instructions to Ireland, and now, having recalled them from their mission, exhibited them at the bar of the house of commons, where Hetherington, Murphy, and Fitzgerald detailed the particulars of an imaginary plot in Ireland, the exact counterpart of that supposed to have been discovered in England. The moment they departed, an address complaining of evil counsellors and begging the king to trust his faithful commons, was adopted, and a motion made to read the bill of exclusion the third time. The duke's friends yielded to the torrent: they did not even call for a division, and the bill passed amidst the shouts and congratulations of its advocates⁹⁰.

CHAP. VI.
A. D. 1680.

Nov. 11.

Here, however, for some reason, of which we are ignorant, a pause of four days ensued; and the intermediate time was spent by the opposite parties in preparing for the contest in the house of lords. Charles took a most decided part, openly soliciting votes in favour of his absent brother; and the popular leaders procured numerous petitions, and were careful that Dangerfield should be in attendance to accuse the duke. But his testimony failed to produce the desired effect: for lord Peterborough, who was named as a party, vindicated himself so victoriously, that even Essex, one of the opposite leaders, pronounced the informer unworthy of credit⁹¹. When lord Russell brought up the bill, he was accompanied by the great body of the commons, and his announcement of its title, “to

But is lost in
the house of
lords.

Nov. 15.

⁹⁰ C. Journ. Nov. 11.

⁹¹ In the Memoirs of James (i. 617) we are assured from his collection of letters, that the information of Dangerfield preceded the debate on the bill; and that such was the case is evident from the time at which the division

took place, nine or eleven at night. It is probable that the clerk entered both the information and the debate on lord Peterborough's guilt or innocence afterwards for his own convenience. L. Journals, 667—670.

CHAP. VI. disable James, duke of York, from succeeding to the crown,"
 A. D. 1680.
 was followed by a cheer of approbation from behind the bar. The house resolved itself into a committee. Essex and Shaftesbury, particularly the latter, distinguished themselves by the force and eloquence with which they urged the expediency of the measure, and were followed not only by the accustomed leaders of the party, but by the earl of Anglesey, who seems to have been intimidated by the evidence of Dangerfield, and by the earl of Sunderland, who took this opportunity to announce his apostasy ⁹². Prudence might have closed the lips of Monmouth: but he spoke boldly, and uttered sentiments which gave unpardonable offence both to his father and uncle. He should vote, he said, for the bill, because he knew of no other expedient to preserve the life of the king from the malice of the duke of York; an expression which Charles, who was present, likened in a loud whisper to "the kiss of Judas." On the opposite side appeared a champion of matchless prowess, the earl of Halifax. He exposed the hypocritical ambition of Monmouth with all the powers of wit and sarcasm; he rebutted the arguments of Shaftesbury with an eloquence and energy which surpassed the most partial expectations of his friends; and he developed the arts and intrigues of the exclusionists in a manner, which was keenly felt, and deeply resented. At nine at night, after a debate of six hours, the house divided, and the bill was rejected, on the first reading, by a majority of sixty-three to thirty voices ⁹³.

⁹² "I am assured," says Evelyn, "he (lord Sunderland) did not do this out of inclination, or for the preservation of the protestant religion, but by mistaking the ability of the party to carry it." Evelyn, iii. 50.

⁹³ L. Journ. 666. James (Memoirs), i.

617, 618. Macpherson, 108, 109. Reresby, 104. Burnet, ii. 246, note a. From these authorities it appears that all the bishops present, fourteen in number, voted against the bill.

To console themselves under this disappointment the popular leaders resolved to hunt down those, whom they considered as its principal authors. Halifax in one house, and Seymour in the other, were marked out for the objects of vengeance. Against Halifax the commons presented an address, that he might be for ever removed from the royal councils and presence, not because he had so successfully opposed the bill of exclusion, but under the pretence that he had advised the late dissolution. Charles briefly replied that whenever they could show, that either Halifax, or any other of his counsellors, had committed a legal offence, he would never interpose to screen him or them from punishment. Seymour, the most powerful advocate of the duke in the council, they impeached of peculation in the execution of his office of treasurer of the navy : a charge the truth or falsehood of which was never ascertained, because he was never brought to a public trial. To the king himself, who had asked for pecuniary aid towards the defence of Tangiers against the Moors, they replied by an address, which was in reality meant to be an appeal to the people. The papists, they told him, “that bloody and restless party,” not content with the private exercise of their idolatrous worship, had brought over multitudes of priests and jesuits to pervert the consciences of his subjects, and to corrupt those whom they could not pervert ; had gradually usurped the control over the internal and external polity of the kingdom ; had prevailed on him to make peace or war, to call or dissolve parliaments, as suited their purposes ; and, having before them the prospect of a proselyted prince to succeed to the throne, had formed the design of assassinating his majesty, of destroying the protestants in England, and of executing a second massacre in Ireland, that by these means they might accomplish the suppression of religion, and the over-

CHAP. VI.
A. D. 1680.

Proceedings
of the com-
mons.
Nov. 17.

CHAP. VI. throw of the government. To prevent these evils, the house of
 A. D. 1680. commons had proposed the exclusion of the duke as the only remedy. Let the king adopt it, and he would find them ready to vote him pecuniary assistance: if not, they should at least preserve themselves guiltless of the blood and desolation likely to ensue⁹⁴.

Of the lords. In the house of lords Shaftesbury proposed, what he described "as the sole remaining chance of security for liberty and religion," a bill of divorce, which by separating the king from Catherine, might enable him to marry a protestant princess, and to leave the crown to his legitimate issue⁹⁵. The earls of Essex and Salisbury, and the lord Howard of Escrick supported the motion: which was as warmly opposed by the earls of Halifax and Bridgewater. Charles, however, declared that he would never consent to the disgrace of an unoffending woman; he openly solicited the votes of the peers against the measure; and its originator, despairing of the result, suffered it to sleep for a while, with the hope of bringing it forward again under more favourable auspices, and with a better prospect of success⁹⁶.

Trial of lord
 Stafford.

Hitherto the session had brought to the popular leaders nothing but disappointment and defeat: the prosecution of Thomas Howard, lord viscount Stafford, gave them a victory, but a victory which covered them with disgrace. Of the victims sacrificed to the perjury of Oates and his brother informers not one had died without protestations of innocence; and the truth of these protestations had been strongly confirmed by the repeated acquittal of their surviving companions during the last summer. The credit of the plot, the credit of the

⁹⁴ C. Journ. Nov. 17, 22, 26, 27.

⁹⁵ It should be remarked that the exclusionists never attempted to move the question of Monmouth's legitimacy, whence Ralph

justly infers that they knew it would not bear inquiry. Ralph, 560.

⁹⁶ James (Memoirs), i. 618. Macpherson, i. 108.

majorities in both houses who had so loudly and so frequently pronounced their belief in its existence, and the credit of the statesmen who had employed it as an engine to move the passions of the people, and as a weapon of offence against the duke of York, were evidently at stake. To maintain the reputation and the influence of the party, a conviction was necessary, and to obtain such conviction no art was left untried, which the desire of victory could suggest. Hence it was, that when the lords in the Tower, after their long and rigorous confinement⁹⁷, demanded a trial, the commons did not bring them together to the bar, but selected the lord Stafford, who on account of his age and infirmities appeared the least able to make a powerful defence; and in addition they exposed him, during the proceedings, to insults capable of unnerving the stoutest heart, and refused him those indulgences which humanity, if not justice, seemed to demand. 1. Each day, as the noble prisoner proceeded to the hall, or returned to the Tower, he was constantly surrounded and assailed by crowds of miscreants, sounding in his ears the most hideous yells and most appalling imprecations. He complained of such treatment, but complained in vain, to the court. 'These cries, he said, wounded his feelings, and disturbed his thoughts; they disabled him from attending to his defence; they took from him that calmness of mind so necessary to a man pleading for his life. 2. On the

⁹⁷ On the 21st of May, 1680, lord Stafford was brought by *habeas corpus* before the court of King's Bench, and demanded to be discharged on bail, as he had been eighteen months in prison without being brought to trial. The chief justice refused, on the ground that the lords had declared that impeachments continued from parliament to parliament. Lord Stafford replied that he asked for nothing but what the law granted

to every Englishman: by law he had a right to be bailed; nor would the granting of his demand infringe the order of the lords; for whether he were in prison or out on bail, he should be equally forthcoming when called upon. But the judges were unwilling to interfere, and advised him to petition the king. See his letter to his son in the possession of his descendant, the present lord Stafford.

CHAP. VI.
A. D. 1680.

second day, when the witness Dugdale came to the capital offence, and deposed to the assent, said to have been given by lord Stafford to the design of assassinating the king, a cheer of congratulation, an expression of feeling suited more to savages than civilized men, burst from the members of both houses, and ran through the hall. "What," exclaimed the lord high steward, "is the meaning of this? For the honour and dignity of public justice, let us not carry it as if we were in a theatre."

3. The counsel of lord Stafford attended to argue points of law, if any such points should arise. Yet so captious was the jealousy of the managers, so ardent their desire of a conviction, that they would not permit the counsel to stand within a certain distance of the prisoner, lest they might by a whisper or sign suggest to him some question or remark, useful for his defence, or embarrassing to their witnesses. 4. When the commons had concluded their case, and the accused solicited the respite of a day to prepare his answer, urging his fatigue, his infirmities, his want of sleep, and the precedent of a similar indulgence in the case of lord Strafford, they sternly withheld their assent; and the lords, through fear of giving offence, had the inhumanity to refuse a request, which was originally suggested by the high steward, and had subsequently been pronounced by him reasonable and just⁹⁸.

The first day.

Westminster-hall was fitted up for the trial after the form, which had been adopted during the proceedings against lord Strafford. The interior exhibited an exact resemblance of the house of lords; on each side ascending rows of benches were appropriated to the members of the house of commons: the managers, the witnesses, and the accused were stationed near

⁹⁸ Trial of Lord Stafford, folio, 1680-1, p. 40, 42, 65.

the bar, in face of the lord high steward ; on the right of that officer the king with his attendants, on the left the queen with hers, occupied a private box ; and above them a spacious gallery accommodated the foreign ambassadors, and other privileged individuals. Finch, the chancellor, discharged the office of lord high steward ; and the managers for the commons were Maynard, who forty years before had been similarly engaged in the trial of lord Strafford, Winnington, Treby, Jones, Powle, and Trevor, the most distinguished lawyers in the house.

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A. D. 1680.

On the thirtieth of November (it was his sixty-ninth birthday, but whether the coincidence arose from design or chance, is unknown), this venerable nobleman was placed at the bar to plead against the informers, and politicians, and zealots who thirsted for his blood. The day was spent by the managers in an attempt to establish the existence of the plot. With this view they detailed to the audience all those pernicious doctrines which have been so often, and so falsely, attributed to the church of Rome, that faith is not to be kept with heretics, that heterodox sovereigns may be lawfully deposed and murdered by their subjects, and that actions, vicious of their own nature, become virtuous, when their object is the benefit of the church. They then reminded their hearers of the persecution under queen Mary, of the gunpowder plot, of the massacre of the French Huguenots, and of the rebellion in Ireland ; they attributed to the catholics the burning of London, the destruction of the fleet at Chatham, and the subsequent fires in the metropolis ; they painted in vivid colours all the horrors disclosed by Oates and his associates, the intended assassination of the king, the massacre of the protestants, the auxiliary armies of French papists, of wild Irishmen, and of Spanish pilgrims ; and they

Nov. 30.

CHAP. VI. urged the death of Godfrey, the correspondence of Coleman, and
 A. D. 1680. the convictions of that intriguer, of Langhorne, and of the jesuits. In the next place they threw out menaces of vengeance against all who should presume to defame the king's witnesses, or affirm the innocence of the peers in the Tower; called on the lords to display their love of truth, and zeal for the protestant cause; and predicted that, if justice were done in this case, popery would be for ever banished out of the English world. Having thus prepared the minds of the audience they called five witnesses Dugdale, Oates, Prance, Turberville and Denis, a collection of men whose characters were a disgrace to any cause which they supported. They deposed to things, many of them utterly incredible, and many morally impossible; that the pope, the cardinals and the jesuits had for several years made this, their design of assassinating the king, the subject of common discourse and of public sermons in Italy; that the moment the king should fall, the papists, confessedly a small body of men, would rise and cut the throats of the protestants, and that such protestants as had the good fortune to escape the knives of the assassins, would nevertheless fall by the swords of the popish army, though whence that army was to come, or by what means it was to be raised, no man could describe or conceive. To the testimony of these men lord Stafford was content to reply, that no part of it was in any manner applicable to him⁹⁹.

Evidence
 against the
 prisoner.

Dec. 1.
 Dugdale.

On the second day the managers undertook to bring the charge home to the accused. Dugdale deposed to three facts: 1. that lord Stafford, at a consult at Tixall, had given his consent to the king's death; 2. that on a subsequent Sunday,

⁹⁹ Trial, 7—39.

coming from Stafford to Tixall to hear mass, he met the deponent, and told him that the catholic worship would soon be established in England; and 3. that on the 20th or 21st of September, sending for the witness to his chamber, he offered him 500*l.* if he would undertake to assassinate the king. Dugdale was repeatedly urged to name the time of the consult: but he kept himself on his guard; though a latitude of ten, and subsequently of fourteen days was offered, still no ingenuity could extort from him any other answer, than that it was held about the end of August or the beginning of September, 1678.

Oates followed. Besides his pretended acquaintance with many letters, in which lord Stafford had expressed his adhesion to the plot, he swore positively that he saw Ireland deliver into the hands of the prisoner a patent from the general of the jesuits, appointing him paymaster to the catholic army. To Oates succeeded Turberville, a younger son of a catholic family in Glamorganshire, who, finding himself reduced to poverty, had conformed to the established church, and put in his claim for the reward promised to informers. This witness declared that in Paris he had been a whole fortnight with lord Stafford, who earnestly solicited him to murder the king. His deposition closed the case for the prosecution; and the prisoner was called upon for his defence. He observed, that he had good reason to believe that the doctrines so ostentatiously put forward by the managers, were not the doctrines of the church of Rome: at all events, they were not his doctrines; he had always looked on them with abhorrence, and therefore was not answerable for them: that his past life had borne witness to his loyalty, and had earned for him the approbation of his sovereign; and that his conduct on the first discovery of the plot was a satisfactory proof of his innocence. Had he been con-

CHAP. VI.
A. D. 1680.

Oates.
Turberville.

CHAP. VI. scious that Oates the informer saw him accept the traitorous
 A. D. 1680. commission, and that others had been suborned by him to murder the king, would he not have sought to preserve his life by flight or concealment? Yet seven days afterwards he came publicly to London, and continued to attend his duty in parliament, till he was taken into custody. Again, two commissioners from the house of lords, and subsequently others from the council, had come to him in the Tower with a promise of a full pardon, if he would only confess what he knew of the conspiracy. Was it to be conceived that, with the knowledge of the fate which had befallen those who were found guilty, and of the fate which awaited himself in the event of conviction, he would have refused the proposal, if he had been conscious of guilt? These things he offered as strong presumptions in his favour; and then requested the respite of a day to prepare for his defence. That the request was refused is already known to the reader ¹⁰⁰.

His defence.

Dec. 2.
 Objections to
 Dugdale.

The following morning he boldly met the charges against him. Each of the three witnesses was, he maintained, a perjured villain; and whoever impartially considers his proofs must admit the truth of the assertion ¹⁰¹. Of Dugdale he shewed, that the informer knew nothing of the pretended consult at 'Tixall, when he made his original deposition upon oath in December, 1678. It was seven months later, at the trial of sir George Wakeman, that he first announced its existence to the public; but then he fixed it in the month of August, now he sought

¹⁰⁰ Trial, 52—56, 65.

¹⁰¹ Of course I must confine myself to the more important points of the case. Unfortunately lord Stafford urged in addition a great variety of proofs, many of them more liable to objection from an ingenious opponent.

This enabled the managers, by disputing the accuracy of his statements, and the credit of some of his witnesses, to withdraw the attention of the court from that which constituted the most important part of his defence.

to transfer it to the beginning of September. But this artifice would not avail him. Lord Stafford, as was clearly proved, spent the month of August in Bath, and did not arrive at Tixall till the 12th of September, much too late to attend a consult there about the end of one month or the beginning of the other. Again, of the pretended offer of 500*l.* on the 20th or 21st of September for the murder of the king, Dugdale was equally ignorant at the time of his original information. He then, indeed, mentioned an interview with lord Stafford on the 20th; and charged him with saying, “that there was a design in hand, and that, if Dugdale would undertake it, he should have a good reward, and would make himself famous:” but to learn the nature of this design, he hastened from lord Stafford to Evers the jesuit, and by him, having previously taken an oath of secrecy, was informed that it had for its object the assassination of the king¹. How could that deposition be reconciled with his testimony on the present trial? How could he be ignorant of the design if he had already assisted at the consult in which it was determined, and had received an offer of 500*l.* to carry it into execution?

Against Oates lord Stafford objected, 1. that this witness, according to his own testimony, not only pretended to be a catholic while he was in reality a protestant; but during his voluntary transactions with the jesuits had lived in the practice of a religious worship, which in his conscience he believed to be idolatrous. Was a man of this degraded character, a miscreant of such deep dissimulation and hypocrisy, one who would even commit idolatry for the accomplishment of his purpose, admissible as a witness in a court of justice? 2. Oates stated that, if

¹ Trial, 69—95, 103. This information may be seen in the Lords' Journals, xiii. 442.

CHAP. VI. he had descended to such discreditable arts, it was to discover
 A. D. 1680. the secrets of the jesuits: that he had succeeded in obtaining their confidence, had been employed by them to arrange all their papers, and to distribute their treasonable commissions, and yet, out of the multitude of documents which passed through his hands, he had not preserved a single line, to prove the truth of any one of his pretended discoveries. 3. This was not the first time that Oates had charged lord Stafford upon oath. In one deposition he had made him secretary of state, in another he had named him without any office, and now he comes forward and swears, that three months before his first affidavit, he saw lord Stafford receive from the hands of Fenwick the jesuit, a commission appointing him paymaster of the army. How was it possible to reconcile these different oaths, or to attach credit to the testimony of a man who had voluntarily taken them all?²

And Turberville.

To the evidence of Turberville the prisoner opposed, 1. a solemn assertion that he was a perfect stranger to the person and name of the informer; 2. the testimony of the two servants, who attended him in Paris, that they never saw Turberville in their master's house; 3. the acknowledgment of Turberville himself at the bar, that he knew not the servants, nor could describe the house, or the rooms, or their furniture; and lastly, the depositions of different persons, that Turberville, after he had conformed to the established church, repeatedly asserted, and sometimes with oaths, that he knew nothing respecting the plot. In addition to these, Dr. Lloyd, the bishop of St. Asaph, at whose table Turberville, after his conversion, dined for the space of three months, might have testified the same, and with

² Trial, 95—102. See the depositions in State Trials, vi. 612; and L. Journ. xiii. 327.

still greater effect : but a menace, artfully thrown out by Winnington in his opening speech, had terrified the prelate, and he thought it better to allow innocent blood to be shed, than to encounter in its defence the displeasure of the house of commons³.

CHAP. VI.
A. D. 1680.

Three of the managers were heard in reply. They maintained that the reality of the plot was now proved beyond dispute, and that the evidence against the prisoner was clear and conclusive : they dwelt minutely on all the weak points of his case, and the apparent inaccuracy of a part of his statements ; and they urged the contradiction which had been given to some of his witnesses, and the probability that others, who were catholics, had been previously tutored to serve his purpose : but the most important feature in the case, the charge of perjury against their own witnesses, seems almost to have escaped their notice. The pretended consult at Tixall, a manifest forgery, they were content to waive because the prisoner objected the uncertainty of Dugdale as to the time ; and on the glaring inconsistency between the testimony of that witness, as well as that of Oates, and their original informations they made no comment whatever. The condemnation of an innocent man seems not to have alarmed their consciences. They acted as if they thought it their duty to employ all the powers of their eloquence, all the resources of their ingenuity, to procure a conviction ; leaving it to

Reply of the
managers.
Dec. 4.

³ Lloyd, from having been Turberville's spiritual instructor, was enabled to judge that his testimony at the trial was nothing but fiction. Unfortunately, he had recently published a treatise, in which, to create dissension among the catholic clergy, he had praised the secular priests at the expense of the religious orders (Burnet, ii. 259), and Winnington, to terrify the bishop, complained of this book in his opening speech, as "artificially written

in favour of popery, and deserving what it would undoubtedly receive, a particular consideration." The prelate urged by conscience on one side, and deterred by fear on the other, consulted his friends, whether he was bound to come forward in the defence of innocence at the risk of bringing on his own head the vengeance of the house of commons, and they very indulgently resolved the case in favour of his timidity. Burnet, ii. 258.

CHAP. VI. the court to detect the fallacy of their reasoning, to unravel the
 A. D. 1680. web which they had so artfully woven, to sift out the truth from that accumulation of chaff, under which they had buried it. If injustice were done, the judges not the advocates were responsible ⁴.

The prisoner's exceptions.

The prisoner now made his exceptions in point of law ; of which the principal were that impeachments in parliament determine at the dissolution of parliament, and that two witnesses are necessary to prove an overt act of treason. The first of these the lords would not allow to be argued—it had already been decided by their house—on the second they consulted the judges, who replied unanimously that it was sufficient, if one witness proved one overt act, and a second another, both being directed towards the accomplishment of the same treason. It is difficult to believe that such could be the original meaning of the legislature, if we consider the real object for which the statute of treasons passed. But this explanation was first given under the commonwealth in the trial of Love before the high court of justice : it was adopted by the judges at the restoration in the trials of the regicides, and has ever since continued to be the doctrine of the courts ⁵.

He is condemned.
 Dec. 7.

On the seventh day the lords assembled in the hall : the high steward called on them in order beginning with the junior baron ; and each, placing his right hand on his breast, pronounced his judgment “upon his honour.” Out of eighty-six voices one and thirty declared the prisoner innocent, fifty-five guilty. He was now introduced, and informed of the unfavourable result. It proved far different from what he had anticipated : but he mastered his feelings. “ God’s holy name be

⁴ Trial, 169—192.

⁵ Trial, 193—198.

praised," was his answer. "I confess I am surprised at it: but God's will be done, and your lordships'; I will not murmur at it. God forgive those who have sworn falsely against me." The commons in a body with the speaker at their head, demanded judgment; and the high steward, after a laboured speech, which showed, if he spoke his real sentiments, how miserably prejudice had benighted his understanding, or, if he did not, how anxiously he sought to conciliate the victorious party⁶, adjudged the prisoner to suffer the usual punishment of traitors. "My lords," said the unfortunate viscount, "give me leave to speak a few words. I thank you for all your favours to me. I do here in the presence of almighty God declare, that I have no malice in my heart against those who have condemned me. I know not who they are, nor desire to know. I forgive them all, and beseech your lordships all to pray for me. But I have one humble request to make, that for the short time I have to live, I may not be a close prisoner as I have been of late, but may be allowed to see my wife, and children and friends." The request was granted with a promise that the lords would also be suitors to his majesty to remit every part of the punishment but the striking off his head. At these words he burst into tears: but suddenly collecting himself, said: "my lords, it is not your justice but your kindness that makes me weep⁷."

That lord Stafford should have been condemned by so numerous a majority, must have provoked the surprise of the reader. But he should recollect that the same object will

CHAP. VI.
A. D. 1680.

Causes of his
condemnation.

⁶ I should think the last was his object. For what other purpose could he tell lord Stafford that now no man could doubt that London was burnt by the papists—a subject

on which not one tittle of evidence had been given at the trial. State Trials, 1556.

⁷ Trial, 209—214.

CHAP. VI. often appear in a very dissimilar light, to the spectator who
A. D. 1680. views it calmly from a distance, and to the man who acts under the influence of public excitement, and with a judgment swayed by the views and prejudices of party. It is also to be remembered that lord Stafford was not arraigned before a jury of indifferent individuals: his fate was decided by the votes of men, who were parties to the prosecution, and interested in his conviction. The house of lords had been employed for two sessions in investigating the plot, in procuring evidence, in forwarding the trials of the accused. They had excited the passions of the people by their votes, had published their conviction of the existence of the plot, had made that conviction the ground of a severe persecution of the whole body of catholics, and had thrown into prison the persons, who ventured to express a doubt of the honesty of the informers. Had they now, in opposition to the positive oaths of the same informers, acquitted the prisoner, they would have done what they so arbitrarily punished in others; they must have acknowledged that the plot was a fiction; they must have taken shame to themselves for the excitement, the miseries, and the bloodshed which they had caused. It should, moreover, be observed, that the trial came on at a moment most unfavourable to the noble prisoner, immediately after the rejection of the bill of exclusion, when one party was goaded almost to madness by the sting of disappointment, and the other, alarmed by the threats, sought to pacify the vengeance of their adversaries⁸. It will not then excite surprise if, under the influence of such motives, many were disposed to look rather to the testimony of the witnesses than to the objections against their veracity, and to persuade themselves that, if they

⁸ This certainly appears from their refusal of granting lord Stafford a day's preparation for his defence.

judged wrongly, the blame must rest not with themselves, but with those by whose oaths they had been deceived ⁹.

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A. D. 1680.

Among the friends, or pretended friends, who visited lord Stafford after his condemnation were doctor Burnet and the bishop of London. They exhorted him to attend to the welfare of his soul, and offered to point out to him the erroneous doctrines of the church of Rome. He replied that his time was so short, and therefore so precious, that he could not afford to spend it in religious controversy. From the care of the soul they descended to that of the body. To one of their inquiries he replied that of a conspiracy against the king he had neither any knowledge, nor so much as a suspicion. Many projects for the purpose of obtaining toleration had, indeed, been agitated among the catholics. These he might disclose, as the price of his life, though that disclosure would earn for him the displeasure of the duke of York. This last hint produced its effect. Burnet brought him a message from lord Essex, lord Russell, and sir William Jones, that if he would discover what he knew respecting such designs, particularly respecting the conduct of the duke, he should be excused from confessing the charges against himself: and the earl of Carlisle informed the lords, that his unfortunate kinsman would be ready in the course of two days to give full information of all that he knew in reference to the plot. But the house refused to wait: and, with the king's permission, lord Stafford was immediately placed at the bar. He said, that the catholics had made several attempts to

His speech
to the house
of lords.

Dec. 16.

⁹ North, Examen, 219. Very few of the lords who found him guilty would own that they gave full credit to the witnesses. The chief justice, North, asked how then they could condemn him? In answer he was told that they were bound by the legal proof of

facts, and the witnesses, by swearing to the facts, had furnished such proof: to which he replied that peers, like juries, had to weigh the credibility both of the persons and the things. Lives of the Norths, i. 328.

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A. D. 1680.

procure an abolition, or at least a mitigation, of their sufferings. Long ago he himself had proposed to exchange the fines and penalties, to which they were subject, for the annual payment of 100,000*l.* to the king. Lord Shaftesbury, who was then chancellor of the exchequer, approved the offer: but the catholics objected to so large a sum, and the project was abandoned. Subsequently a measure of relief, founded on a new oath of civil allegiance, was brought into parliament, but lost through the obstinacy of lord Bristol. After this the opposition of lord Clarendon and the bishops to the declaration of indulgence extinguished his hopes, which, however, were subsequently rekindled by the report of the conversion of the duke of York to the catholic faith. It was then proposed to form a coalition between the catholics and the country party, for the purpose of procuring in the first place the dissolution of the parliament, and in the next the toleration of the catholic worship. This plan obtained the approbation of all to whom he had submitted it, of the duke of York, of the lord chancellor, and of lord Shaftesbury. But the moment Shaftesbury was mentioned, the house interrupted his discourse. He was brought there, not to defame the great champion of protestantism, but to disclose the particulars of the plot; and on his solemn protestation, that he had never any knowledge of the plot, he was remanded to the Tower¹⁰.

Objections to
the warrant
of execution.

The same day the sheriffs received the warrant for his decapitation, but disputed its validity¹¹. They could not conceive,

¹⁰ Lords' Journals, 721. Reresby, 109. Echard, 997. Burnet, ii. 264. Lord Stafford left behind him an autograph copy of this communication. The latter part of it has been lost: from the first portion of it, I

have been enabled to correct some errors of the preceding authorities.

¹¹ "I think it a terrible thing," says James, "to sign a warrant for putting a man to death upon the testimony of such

why the king should interfere at all with the execution. The cause had not been tried before him: the house of lords had pronounced the judgment, and it was for the same court to enforce it. In this pretended perplexity they applied by petition to the lords, and received for answer that "the king's writ ought to be obeyed." They were not, however, satisfied: they began to question the authority of the lords also; and solicited the direction of the house of commons. At their request the four following queries were laid before that house: "Can the king, being neither party nor judge, order the execution? Can the lords award the execution? Can the king dispense with any part of the execution? If he can dispense with a part, why not with all?" But the majority of the commons betrayed no wish to entertain a subject, which would have drawn after it an altercation both with the lords and the king: and on the motion of sir William Jones the petitioners were informed, that "the house was content the sheriffs should execute William late viscount Stafford by severing his head from his body only." The suggestion obtained for Jones the reputation of ingenuity: a vote more insulting to the sovereign could not easily have been devised¹².

Much conjecture was expended respecting the motives which actuated the sheriffs. They were Cornish and Bethel, who

perjured villains as those who deposed against lord Stafford: and I hope his majesty will have considered the trouble it was ever after to the king his father the having signed the warrant for the execution of lord Strafford: and, if it be not too late, why should not you put him in mind of it, it being a terrible thing the shedding the blood of an innocent man, as I am most confident lord Stafford is." Letter to Hyde, *Clar. Cor.* i. 50.

¹² *L. Journ.* xiii. 724. *C. Journ.* Dec. 23.

Parl. Hist. iv. 1261. *State Trials*, vii. 1562. North, 219. It is observed by Mr. Hargrave that in this warrant (see it, *Trial*, 215) the judgment against lord Stafford is stated to be, not by the king, or the king and lords, or with the assent of the king, but by the lords only, not the lords temporal and spiritual, or the lords generally, but expressly by the lords temporal. *Opinion and Argument of Mr. Hargrave*, p. 86.

CHAP. VI. after a long contest had been returned in opposition to the
 A. D. 1680. court¹³; and their professed devotion to Shaftesbury and his more intimate associates, provoked a strong suspicion that they were advised and guided by that nobleman. But what was the object? It could not be that any doubt was seriously entertained of the king's right. That right had been uniformly exercised without dispute by preceding monarchs. Scarcely a reign had passed without the conviction or attainder of some peer for treason: and in every instance, when the judgment was carried into effect, the execution took place in virtue of a similar warrant, and by the same manner of death. It is equally difficult to believe that the same spirit of remorseless bigotry, which displayed itself by the burst of congratulation at the trial, could pursue its victim after condemnation, and seek to increase the bitterness of his death by adding to the poignancy of his sufferings and the ignominy of his punishment. Perhaps it was one of those dark and dangerous contrivances, which teemed in the prolific brain of Shaftesbury, and of which the object was to point the clamour of the people against the court by holding out the king as the friend and favourer of the papists¹⁴.

His death.
 Dec. 29.

Supported by the consciousness of innocence, and by the persuasion that he was about to perish a martyr to his religion,

¹³ They were chosen at the usual time, midsummer-day, but, as they refused to receive the sacrament and abjure the covenant, a new election was fixed for the 14th of July. Before that time they qualified, and were opposed by Nicholson and Box in the interest of the court. At the close of the poll the numbers stood, for Cornish 2483, Bethel 2276, Box 1428, and Nicholson 1230. Echard, 989.

¹⁴ If we may believe Echard (p. 1035),

"lord Russel's zeal against lord Stafford transported him so far that he was one of those who, with Bethel, Cornish, &c. questioned the king's power in allowing that lord to be only beheaded." In another place he says that Charles alluding to this, said, when he granted the same mitigation to him after his condemnation, "My lord Russell will now see that I have a power to change his sentence." Id. p. 1034.

Stafford proceeded with a steady step and cheerful countenance to the place of execution. The severity of the weather induced him to ask for a cloak, lest, as he said, if he should tremble through cold, it might be taken for a symptom of fear. At his appearance a few yells and groans were heard: and to his request that the sheriffs would interfere, we are told that Cornish returned this brutal answer: "I am ordered to stop no person's mouth but your own." As, however, he passed on, the people treated him with respect, and many uncovered their heads. From the scaffold he delivered a long speech with a firm voice and much animation. He indignantly repelled the foul calumnies which had been uttered against his religion at his trial, and asserted his own innocence in the most energetic terms. He declared on his salvation that he had never in his life spoken to either Oates or Turberville, nor more than twice or thrice to Dugdale, and then only on trifling matters and always in the presence of others¹⁵. Falling on his knees he pronounced aloud a prayer composed for the occasion, and rising, once more protested his innocence. The spectators listened to him with bare heads, and answered with cries of "we believe you, my lord—God bless you, my lord." Having embraced his friends, he knelt down, and stretched himself on the block. The executioner poised the axe in the air, as if he were taking aim; but suddenly checking himself, brought it down again to his feet. Lord Stafford, raising his head, inquired the cause of the delay; and was told that he waited for a sign: "Take your own time," he replied. "I shall make no sign." "Do you forgive me, sir," said the executioner. "I do," was his

CHAP. VI.

A. D. 1680.

¹⁵ See "The Speech of Wm. late Lord Viscount Stafford, London, printed for Wm. Bailey, 1680." Four drafts of this speech in

the hand of the unfortunate viscount are in the possession of lord Stafford.

CHAP. VI. reply. After this short dialogue, he resumed his former posture, and at one stroke his head was severed from the body. The spirit with which he had defended himself at his trial surpassed the expectations of his friends and confounded the hopes of his enemies: and his christian piety and fearless deportment on the scaffold confirmed the growing opinion of his innocence. The patrons of the plot derived no benefit from his death ¹⁶.

¹⁶ Trial, 218. State Trials, vii. 1563—1568. Burnet, ii. 266. Echard, 997. Reresby, 112. The last writer, a few days before (Dec. 24), attended the king's *couchée* for two hours. Charles "seemed quite free from care and trouble, though one would have thought at this time he should have been

overwhelmed therewith; for every body now imagined he must either dismiss the parliament in a few days, or deliver himself up to their pressing desires: but the straits he was in seemed no ways to embarrass him." P. 110.

CHAP. VII.

CHARLES II.

PROJECT OF LIMITATIONS—VIOLENCE OF THE HOUSE OF COMMONS
 —DISSOLUTION OF PARLIAMENT—NEW PARLIAMENT AT OXFORD
 —REJECTION OF EXPEDIENTS—IMPEACHMENT OF FITZHARRIS—
 DISSOLUTION—TRIAL AND EXECUTION OF FITZHARRIS—OF
 PLUNKETT—OF COLLEGE—DISCHARGE OF HOWARD, ROUSE,
 SHAFTESBURY—AFFAIRS OF SCOTLAND—PARLIAMENT—ARGYLE
 REFUSES THE TEST—IS TRIED, CONDEMNED, AND ESCAPES—
 FLIGHT AND DEATH OF SHAFTESBURY—RYE-HOUSE PLOT—EXE-
 CUTIONS—LORD WILLIAM RUSSELL—COLONEL SYDNEY—PARDON
 OF MONMOUTH—POWER OF THE DUKE OF YORK—INTRIGUES OF
 HALIFAX—DEATH AND CHARACTER OF CHARLES.

THOUGH Charles by his spirited opposition to the bill of ex-
 clusion had proved his determination to support the interests of
 his brother, there were many who, judging from his poverty, his
 love of ease, the facility with which he changed his resolutions,
 and the ingenuity with which he vindicated those changes to his
 own satisfaction, ventured to predict that after a short struggle
 he would, according to his custom, yield to the importunity and
 perseverance of his opponents. Under this persuasion the
 exclusionists continued to appeal to the public on behalf of their

CHAP. VII.
 A. D. 1680.

Attempts to
 change the
 king's resolu-
 tion.

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A. D. 1680.

favourite measure, by the circulation of pamphlets, speeches, and addresses, and at the same time laboured to make impression on the mind of the king by the representations of his ministers, of his mistress, of his nephew, and of his allies.

1. Sunderland and Godolphin ceased not to inculcate that his pecuniary wants imposed on him the necessity of propitiating his opponents in parliament. 2. The duchess of Portsmouth, as often as he sought relief from care in her company, harassed him with the repetition of her fears and misgivings. 3. The prince of Orange had not, indeed, the face to advocate openly the exclusion of a prince, who was his uncle and father-in-law ; but he sufficiently manifested his real wishes, by imploring the king on the one hand to come to a good understanding with his parliament, and on the other to refuse every project of a bill of limitations, because such a bill would necessarily subvert the very foundations of the monarchy¹. 4. The Spanish ambassador represented to him the unjust and ambitious views of the French monarch, and lamented, but in guarded and respectful terms, the internal dissensions, which rendered the king of England unable to attend either to his own interest or to that of his allies. 5. Last of all came the Dutch ambassador, with a long and laboured memorial, in which the States-general declared, that they were at last compelled to speak out by the danger to which they were exposed ; that they had endeavoured to please him, till they had drawn upon themselves the enmity of other powers ; that the king of France was manifestly aiming at the conquest of the Spanish Netherlands, and of the Dutch commonwealth, while the king of England, from whom they had a right to expect assistance, had tied up his hands by dissension

¹ Dalrymple, 307.

with his parliament, and thought proper to sacrifice the welfare of Europe, of all the protestant powers, and particularly of the United Provinces, "for so uncertain a matter as a future succession." It was not their office to dictate his conduct to him; but they certainly might pray that, if he were resolved to sacrifice his kingdom, his royal person, and the union of his subjects, he would say so at once, that they might know what they had to expect, and might devise some means to save from destruction the republic and the poor people committed to their care. The tone of this instrument was offensive to the feelings, injurious to the character of the king. He complained of it in strong and resentful language to the States, by whom it was immediately disavowed; and Charles, after some investigation, believed that he had traced it to its real authors, Sunderland and Sidney the ambassador on one part, and the prince, and Fagel the pensionary on the other. It failed of its intended effect. Instead of intimidating, it offended, and resentment impelled the king to refuse what otherwise his indolence might perhaps have conceded².

The bill of limitations, to which the prince of Orange alluded, was the work of lord Halifax, who sought by this expedient to win the friendship, or ward off the vengeance of those whom he

Project of
limitations in
the house of
lords.

² The memorials of the Spanish and Dutch ambassadors are in Ralph, i. 548—551. See also d'Avaux, i. 59, 62, 63. James, i. 641—643. The complaints against Louis grew out of the new claims which he advanced under the heads of "reunions" and "dependencies." He had established two chambers of justice at Brisac and Metz, which adjudged to him as lord of Alsace and of the three bishoprics of Metz, Toul, and Verdun, all the fiefs, which formerly belonged to the ancient lords of those countries, though separated from them centuries before. By these

"reunions" the kings of Sweden and Spain, the elector of Treves, the count Palatine, and several princes and prelates were forcibly dispossessed of their ancient rights. The "dependencies" were questions respecting the limits of the territories belonging to the places which the kings of France and Spain had restored, or ceded by the treaty of Nimeguen: and as these limits were not specified in the treaty, Louis determined them according to his own interest, and took possession by force. Of the injustice of his pretensions under these two heads no doubt can exist.

CHAP. VII.
A. D. 1680.

had made his enemies by his successful stand against the bill of exclusion. Under his guidance the house of lords spent the rest of the session in framing a bill for "the security of the protestant religion;" and in the committee which sate from day to day, it was proposed, that an association of protestants should be formed to watch over the king's life, and to revenge his death on the papists, if he should perish by poison or violence; that all catholics whose rental exceeded 100*l.* per annum, should be banished for life³, a clause which offered so many difficulties in the detail, that it was postponed for future consideration; that the duke of York should be disabled from holding office in England, or any country dependent on the crown of England; that at the king's death the parliament then in being, or, if none were in being, the last parliament should sit for six months; that neither James himself, nor any catholic successor, should possess any negative voice on bills passed by the two houses; that the right of treating with foreign states, and of appointing to all offices, civil, military, or ecclesiastical, should be reserved to the parliament, while it was sitting, or to a council of forty-one individuals at other times; that the duke of York should be liable to the penalties of treason if he came to England during the king's life, and to the forfeiture of all his property, if he resided within 500 miles of the British shores. When these limitations were communicated to James, he rejected them with indignation and scorn. They might leave him the title, but they stripped him of the power of king. They made the monarch a mere pageant, and converted the monarchy into an oligarchy. He wrote to his brother, reprobating the plan in the most vehement language; he conjured him to be on his guard

³ This was a favourite project with Halifax. James (*Memoirs*), i. 594.

against his republican advisers, and he ceased to consider as his friend the statesman by whom the limitations were devised⁴.

CHAP. VII.
A. D. 1680.

The loss of the exclusion bill provoked much angry discussion in the house of commons. Some charged the bishops, who opposed it, with having "torn out the bowels of their mother, the church;" lord Russell declared that if his own father had voted against it, he would have been the first to have impeached his parent of high treason; many called for the immediate banishment of all catholics of property, whether men or women; and others maintained that popery was "so clenched and rivetted among us," that neither God nor man could prevent it from being established in the kingdom⁵. With their passions thus excited the commons proceeded to gratify their vengeance. At the commencement of the session they had very justly resolved that to petition for the sitting of parliament, or the redress of grievances, is the right of the subject; and now, under the pretence of vindicating that right they scrupled not to invade other rights still more valuable. By their orders the chief of the "abhorrrers" were dragged from their homes in distant countries, brought as delinquents to the bar, and committed to prison during the pleasure of the house. But these arbitrary and illegal arrests were at last checked by Stawell, chairman of the grand jury of Devonshire, whose offence consisted in the delivery of an address to the judges at the assizes. He set the messenger at defiance; he knew of no authority in the commons to arrest him for doing his duty; and the house, to escape from the difficulty, allowed him a month for his appearance under the pretence that he was indisposed⁶.

Violent proceedings in the house of commons.

⁴ L. Journ. xiii. 684, 740. James (Mémoires), i. 635.

⁵ Parl. Hist. 1234—1251. Echard, 1000.

⁶ Compare the journals Nov. 20, Dec. 4,

with North, Examen, 561. This put a stop to the arrests of "abhorrrers," and the name of Stawell became a standing toast at the tables of the courtiers.

CHAP. VII. A. D. 1680. At the same time they instituted a severe inquiry into the administration of justice. They presented an address for the

removal of Jeffreys, the recorder, who had the good sense to propitiate his enemies by a speedy resignation⁷; and they voted impeachments against Scroggs and North, the two chief justices, against Jones, a puisne justice of the king's bench, and against Weston, a baron of the exchequer. That these prosecutions originated in political resentment, cannot be doubted: yet they proved beneficial to the country, by reminding these petty despots (for such at that period they generally were in the courts of law), that there existed a higher authority than themselves, watchful of their conduct, and ready to punish their exorbitances. But from the judges the house descended to notice the sermons and private discourse of an obscure curate, who had the temerity to call in question the virginity of queen Elizabeth, the patriotism of Hampden, the loyalty of the petitioners, and the reality of the plot. For these four heinous offences Richard Thompson was brought up from Bristol: his answers at the bar did not give satisfaction; and a committee was appointed to impeach the heterodox divine. But Charles requested their attention to his wants; he was ready to assent to any measure of security consistent with the legal descent of the crown; and demanded to know in return what assistance he might expect from his people. After some violent resolutions an address was presented stating the dangers to be apprehended from the succession of the duke of York, praying the king to

Dec. 15.

Dec. 21.

⁷ Though Charles was displeased at the pusillanimity of Jeffreys, he good-humouredly observed, that the recorder was not "parliament-proof." Treby, a whig, succeeded. Soon after at a court for registering freemen, Bethel the sheriff, in right of his office, named the duke of Buckingham; and Cornish,

the other sheriff, was prepared to name the earl of Shaftesbury, had not the court of aldermen declared Buckingham ineligible. The intention was to make these noblemen freemen, and afterwards lord mayors. See Seymour's letter in Macpherson, i. 112; and James (Memoirs), i. 651.

recede from the limitation expressed in his speech, and promising on his compliance to furnish him with money for the equipment of the fleet, and the preservation of Tangier. Charles replied, that he did not stand alone ; his objections to the bill of exclusion had been confirmed by the judgment of the house of lords ; but the carriage of this answer was successively declined by Jenkins, Carr, and Godolphin ; and its delivery by Temple provoked the following resolutions ; that unless the duke of York were excluded, there could be no safety for the government, the life of the king, or the protestant religion ; that in such circumstances the house could not conscientiously vote any supply to his majesty ; that the marquess of Worcester, the earls of Halifax and Clarendon, the advisers of the last answer, and the earl of Feversham, were promoters of popery, and enemies to the king and kingdom ; that Worcester, Feversham, Lawrence Hyde, and Seymour (he had been called to the council, and warmly advocated the rights of the duke of York), ought to be removed from public employment, and from his majesty's presence ; and that every man who should lend money to the king upon any branch of the revenue, or accept or buy any tally of anticipation, should be adjudged to hinder the sitting of parliament, and be made responsible for the same in parliament. These votes alarmed the royal advisers, and Charles, in concurrence with their opinion, determined on a dissolution. But whatever passed in the council was immediately communicated to the leaders of the opposition ; the commons met at an early hour the next morning ; and under the excitement of passion and vexation a series of factious and intemperate resolutions was hastily adopted. They voted that the advisers of a prorogation were traitors to the king, to religion, and the kingdom, promoters of the French interest,

CHAP. VII.
A. D. 1681.

Votes against
the king's
friends.

Jan. 4.

Jan. 7.

Dissolution of
parliament.

Jan. 10.

CHAP. VII. and pensioners of France ; that the city of London was burnt
 A. D. 1681. in 1666 by the papists for the introduction of popery and arbitrary power ; that his majesty should be addressed to restore the duke of Monmouth to the offices of which he had been deprived by the influence of the duke of York ; and that the enforcement of the laws against dissenters was an encouragement to popery. At this moment the black rod summoned the members to wait on the king in the house of lords : the speaker rose and followed him ; and the lord chancellor, by the royal command, prorogued the parliament for the short space of ten days. A petition, that it might be allowed to sit again at the expiration of that term, was hastily presented from the city : but Charles adhered to his resolution ; and a proclamation was published, dissolving the parliament, and calling another to meet at Oxford at the end of two months⁸.

Jan. 13.

Jan. 18.

Petition of
 sixteen peers.

This selection of Oxford disconcerted, perhaps alarmed the popular leaders. It would deprive them of the powerful aid which they derived from the agency of the several clubs, and of a numerous faction in the city, and would remove them to a place, where they hardly possessed a single partisan, and where the fidelity of their followers might be shaken by the offers of the court, or subdued by the presence of the military. Pamphlets in condemnation of the measure issued from the press ; the aid of supernatural apparitions was employed⁹ ; and

⁸ Temple, ii. 536, 537. C. Journ. Oct. 30 ; Dec. 15, 20 ; Jan. 4, 7, 10. L. Journ. xiii. 743. Somers, Tracts, viii. 143. State Tracts, ii. 123.

⁹ A figure, supposed to be the mother of Monmouth, appeared to Elizabeth Freeman of Hatfield on the 24th of January, and said, " Sweetheart, the 15th of May is appointed for the royal blood to be poisoned." The

next day the same apparition said to her : " Tell king Charles from me, and bid him not remove his parliament, and stand to his council : " on the following, " Do your message." This tale she swore before two magistrates, who sent it to the king. At the same time it was printed, and spread over the kingdom. See Ralph, 562,

a petition to the king, remarkable for the boldness of its language, was subscribed by sixteen peers, and presented by lord Essex. It attributed the choice of Oxford to the counsels of wicked men, favourers of popery, promoters of French interests, and enemies to the happiness of England; it stated that in such a place the two houses would be deprived of freedom of debate, and exposed to the swords of the papists, who had crept into the ranks of the king's guards; and it therefore prayed and advised that the parliament might be held at the accustomed place in the city of Westminster. Charles instantly replied, "that, my lord, may be your opinion; it is not mine:" and soon afterwards sent the secretary to demand the names of the catholics who served among his guards. Essex was not prepared to answer that question: he knew of none: yet the petition was published in the very words, in which it had been presented; and the falsehoods which it contained were circulated through the kingdom. In opposition the earl of Halifax published a tract under the title of "A seasonable address to both houses of parliament concerning the succession, the fears of popery, and arbitrary government." It was written with apparent candour, but severely arraigned the motives of the petitioners, and charged them with sacrificing the tranquillity of the country to the resentment of disappointed ambition ¹⁰.

CHAP. VII.

A. D. 1681.

Jan. 27.

¹⁰ If we may believe him, the two great pillars, as they were reputed, of the protestant religion, Buckingham and Shaftesbury, had no religion at all. Essex had joined their party, because he could not obtain the treasurer's staff, or the government of Ireland; Shaftesbury, only a few months before, had offered his services to the duke of York, if he might be restored to the office of chancellor; the earl of Bedford, "whose son (lord

Russell) in the other house was the great tribune of the people, would have had a dukedom added to the garter, to make both sing to another tune;" sir William Jones, sir Francis Winnington, colonel Titus, &c. &c. "were disobliged, and, if taken into favour, would stand up for the court, as much as they now do against it." Somers, Tracts, viii. 222. See the petition in State Tracts, ii. 129.

CHAP. VII. The interval was employed by the king in endeavours to
 A. D. 1681. escape from the difficulties, in which he found himself entangled.

Secret treaty
 with Louis.

By his command every individual, believed to possess any influence with the duke of York, advised, conjured that prince to take the tests, and conform to the established religion. But James was inflexible. He could not, he said, yield to the royal wish with a safe conscience or in sound policy. The reasons which originally withdrew him from the church of England, forbad him to return: nor would his conversion at this period be thought sincere, but, instead of disarming his enemies, would furnish them with a new weapon, the charge of hypocrisy, of attempting to impose by a feigned conformity on the credulity of protestants. From James the king, according to the advice of that prince, turned his eyes towards the French monarch, but insisted that the first step should be made by his brother, who represented to Louis his own forlorn condition, and earnestly solicited his protection. If that monarch listened to his prayer, it was not through feelings of compassion, but through considerations of personal interest; for he saw that a reconciliation between Charles and his opponents would be followed by an offer of aid to the king of Spain. In a short time it was agreed that the French king should pay to his English brother a subsidy of 2,000,000 of livres for the current year, and of 500,000 crowns for the two following years, and that Charles should gradually withdraw himself from the Spanish alliance, and not permit himself to be led into measures incompatible with his present engagement. This was a most singular treaty. No man was privy to it but Charles and Hyde on the one part, and Louis and Barillon on the other. No signature was required: even the terms themselves were not reduced to writing: each

March 14.

prince was satisfied with the verbal obligation of the other contracting party¹¹. CHAP. VII.
A. D. 1681.

On the very day of this agreement Charles proceeded to Oxford, escorted by a troop of horse guards: the earl of Shaftesbury, the representatives of the city, and the chief of the popular party followed, armed themselves, and attended by armed men, wearing round their hats a ribbon with the inscription "no popery, no slavery." Their unusual appearance excited surprise and suspicion. They were charged with the secret design of placing the sovereign in durance, till he should assent to their demands: they replied that they had no other object than to protect themselves, in the case of aggression by an armed force¹². Meeting of
parliament at
Oxford.
March 11.
March 17.

The king, secure from the apprehension of poverty by his recent treaty with France, addressed the two houses with the tone and authority of a sovereign. He adverted with some show of bitterness to the unwarrantable proceedings of the last parliament. He did not claim arbitrary power himself, nor would he permit it to be exercised by others. He had called them before him, that he might give one proof more of his readiness to concur in any reasonable measure for the security of religion and property. He was willing to assent to any expedient, by which, in the event of a catholic prince succeeding to the throne, the administration of government might be retained in the hands of protestants. But, as he had always made the law the measure of his own conduct, he had a right to insist that they should make it the measure of theirs. He would King's
speech.
March 21.

¹¹ James (Memoirs), i. 664. Dalrymple, 191—301. Hume, note to chap. lxix. Though James and the earl of St. Alban's were employed, the one by Charles, the other by Louis, there is reason to believe that they

were kept in complete ignorance of the real treaty between Hyde and Barillon.

¹² North, 100—102. Dalrymple, 294. Reresby, 120. Burnet, ii. 274, note a.

CHAP. VII. never consent that unnecessary fears should be made a pretence
 A. D. 1681. for the subversion of the ancient government, nor would he ever
 depart from his resolution of keeping the succession unbroken.

Expedient in
 place of ex-
 clusion.

March 24.

The expedient, the promised substitute for the bill of exclusion, which had been suggested by Halifax, and approved by Charles, was immediately laid before the house. It proposed to allay the jealousy of the anti-catholics without interrupting the descent of the crown, by enacting that James duke of York should be banished to the distance of five hundred miles from the British dominions during the term of his natural life, that on the death of the reigning monarch he might assume the title of king, but that all the powers of government should be transferred to a regent, to be exercised by that regent in the name of the absent prince; that the regency should belong in the first place to the princess of Orange, and after her to the lady Anne, and if James should have a legitimate son educated in the protestant faith, should continue during the minority of such son, and no longer; and that at the same time all catholics of considerable property should be banished by name, the fraudulent conveyances of their estates should be defeated, and their children should be taken from them, that they might be bred in the doctrine of the established church¹³.

Rejected by
 the house of
 commons.

The king had persuaded himself that this expedient would satisfy the opponents of his brother. By it he yielded the substance of their demands. James, indeed, would inherit the title of king, but it was a mere title, without a shadow of power, or the means of acquiring it; and his banishment, with the banishment of the principal catholics, and the protestant education of their children, promised a security against the establish-

¹³ See it in Ralph, 577; and Life of James, ii. London, 1703. App. p. 44. Reresby, 117.

ment of popery, sufficient to have tranquillized the jealousy of the most timid, and to have appeased the zeal of the most intolerant. But when the Whig leaders looked around them, and saw the benches covered with the same persons, who had supported them in the last parliament, they were betrayed into an overweening confidence of victory, and, whatever might be the motives by which they were privately actuated, undertook to compel the king to assent to their own measure of total exclusion. They maintained that, except in cases of physical or mental incapacity, the exercise of the regal power was inseparable from the possession of the regal title; that according to the doctrine of the lawyers the crown takes away every civil disability; and that of course, if the duke of York ever became king, he would have an indefeasible right to the sovereign authority. Their adversaries replied that similar arguments might be employed with equal force against the bill of exclusion. If the power could not be separated from the title, how could the title be separated from the right of governing? If James could be treated as civilly dead, and the title on that account be given to another, why might he not be treated as physically incapable, and the power on that account be transferred to another? After a debate, however, of two days in the house of commons the expedient was rejected, and a resolution passed to bring in a bill which should disable James duke of York from inheriting the imperial crowns of England and Ireland, and the dominions thereunto belonging¹⁴.

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March 26.

¹⁴ C. Journ. March 24, 26. Burnet, ii. 269. Parl. Hist. iv. 1308, 1317—1332. It was repeatedly asked in the house why, if religion were the real cause of exclusion, the bill should apply personally to the duke of York, and not generally to every catholic

successor? An amendment to that effect was moved, but was rejected on the suggestion of Hampden, that by aiming at too much, they might perhaps lose all. Somers, Tracts, viii. 257. Parl. Hist. 1332.

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History of
Fitzharris.

But here it will be necessary to interrupt the narrative, and call the reader's attention to a dark and mysterious intrigue, the work of two obscure individuals, Fitzharris an Irish, and Everard a Scottish adventurer. They originally became acquainted as volunteers in the French army, and both met some years later in London, to which city each had returned in the hope of bettering his fortune. Fitzharris married the daughter of a naval officer, who had perished in the service of his country; his cousin Mrs. Wall had obtained the important situation of confidential servant to the duchess of Portsmouth; and a pension of 200*l.* granted by the king to his wife in consideration of her father's death, together with the influence supposed to be possessed by his cousin, taught him to attach himself to the interests of the court. He watched with care the secret manœuvres of the opposite party, made important discoveries respecting a libel entitled "The King Unveiled," brought to the duchess the first information of the design to impeach her, set on foot the negotiation between her and the lord Howard, and obtained from the king, as a proof that his services were not unwelcome, a remuneration of 200*l.* or 250*l.* Everard was less fortunate. He had scarcely reached London, when he was committed to the Tower on a charge of conspiring to poison the duke of Monmouth; nor did that nobleman consent to his enlargement till the expiration of four years, when Everard offered to bolster up by his evidence the declining credit of the popish plot. He accordingly made his deposition before sir William Waller, was admitted to read his "narrative" in presence of both houses, and claimed as his own the merit of one or two scurrilous pamphlets against the administration. Soon after the dissolution it was agreed between these worthies to publish, preparatory to the meeting of the new parliament, a

Feb. 21.

libel with the title of "The True Englishman speaking plain English," which should charge the king himself with being the accomplice of the duke of York, and should summon all true protestants to unsheathe the sword, and stand by the parliament against the two popish princes. The substance was furnished in notes by Fitzharris; the language and arrangement were entrusted to the superior talent of Everard. There is reason to believe that the sole object of each, in the composition of this work, was to obtain credit and reward by betraying his associate. As soon as it was finished Fitzharris hastened with a copy to the lodgings of the duchess, but was unable to obtain admission. Everard, more astute, had secreted witnesses in his room during their interviews; the next day one of these, sir William Waller, laid an information against Fitzharris before the council; and the unlucky intriguer was apprehended, examined, and committed to Newgate.

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Feb. 28.

March 1.

March 2.

In prison it was either suggested or it occurred to him that his case was not yet desperate: there still remained an expedient which had saved many of his brethren from the gallows; he might turn informer against the duke of York and the catholics. His willingness to give evidence was mentioned by Cornish, the sheriff, to the king, and the two secretaries were ordered to take his examination. He deposed, in substance, that the murder of the king was a matter determined on in the councils of the papists; that he himself had received an offer of 10,000*l.* to undertake the task, from Montecuculli, the late agent to the duchess of Modena; that the French army in Flanders was designed to land in England, while another army under Mareschal Bellefonds should sail to Ireland, both in support of the catholic cause; and that it was proposed, in case of success, to boil down the bodies of the protestant leaders, and make of

March 6.

March 8.

CHAP. VII. them a *sainte ampoule* for the coronation of future catholic
A. D. 1681. monarchs. This information was too important to be left to the

March 10.

discretion of the secretaries: two days later Treby, the recorder, and alderman Clayton, who had distinguished themselves by their zeal in the prosecution of the plot, visited Newgate, and in their capacity of magistrates took a second time the prisoner's deposition. It was intended to make Fitzharris act the same part as Dangerfield had done in the last parliament, and to aid the progress of the bill of exclusion through the two houses by the excitement which might arise from the disclosures of the new informer. Charles saw, and resolved to defeat, this object. To cut off all access to Fitzharris, he was transferred from Newgate to the Tower; and to prevent him from being brought to the bar of either house, the attorney-general received instructions to proceed against him for high treason in the court of King's Bench¹⁵.

He is im-
peached by
the commons.

March 25.

But the ingenuity of the Whigs proved a match for that of the cabinet. At Oxford, on the first mention of the bill of exclusion, the examination of Fitzharris taken by Clayton and Treby was read to the house of commons; and it was contended that his intrigue with Everard was nothing less than a continuation of the "old popish plot for the destruction of protestantism"; that it had been the intention of those by whom the prisoner was employed, to send a copy of the treasonable libel to each of the popular leaders, and then to apprehend as traitors

¹⁵ For these particulars see the Narratives of Sir Robert Walsh, 1679; the Depositions and the Narratives of Mr. Edmund Everard, 1679; the examination of Edward Fitzharris, in C. Journ. March 25, 1681; Hawkins, Confession of Edward Fitzharris, 1681; Hawkins, Discourse with Fitzharris in the Tower, 1681; The Englishman speaking

plain English, in State Trials, viii. 357; and Parl. Hist. iv. App. 123. Burnet, ii. 271. James (Memoirs), i. 668, 669. The reader will observe that I have confined myself to a plain relation of facts, without noticing the opposite interpretations put upon them by the adverse parties.

every individual in whose possession such copy might be found ; and that the sole motive for the incarceration of the libeller in the Tower was to stop his mouth and suppress the knowledge of this execrable design. But would the commons suffer themselves to be cheated in this manner ? Let them impeach Fitzharris before the lords : he would then have the opportunity of declaring the truth, and the whole mystery would be explained. The suggestion was immediately adopted ; and the victorious party in the wantonness of triumph resolved that secretary Jenkins, who had signed the warrant for his committal to the Tower, should carry up the impeachment to the house of lords. With reluctance he obeyed, but was followed by the attorney-general, who produced both the order of the king for the prosecution, and the indictment, which had been prepared ¹⁶.

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In the house of lords the question was argued with vehemence and obstinacy. By the Whigs it was maintained that the commons had in all ages exercised the right of impeachment against any subject : that an impeachment was at the suit of the people, an indictment at that of the king : and, therefore, as the house of lords was the only court in which the people could sue, to reject the impeachment would be a denial of justice : and that, as with regard to impeachments, the peers proceeded in virtue of their judicial not their legislative authority, they had no more right to reject a legal complaint brought before them, than the judges in Westminster Hall, or in any other court. On the other side the lord chancellor produced from the rolls an accord made before Edward III. in full parliament, stating that the judgment given by the lords against the murderers of Edward II. should never be drawn into a precedent, by which

The impeachment rejected by the lords.

¹⁶ C. Journ. March 25. L. Journ. xiii. 755. Parl. Hist. iv. 1313—1317.

CHAP. VII. they might afterwards be compelled to judge any others than
 A. D. 1681. peers : and the house founding its decision on this instrument, resolved that “ Fitzharris should be proceeded with according to the course of common law, and not by way of impeachment in parliament at that time ”¹⁷. This answer set the house of commons in a flame : they declared by successive votes that it amounted to “ a denial of justice, a violation of the constitution of parliament, and an obstruction to the further discovery of the popish plot, and that any inferior court which should proceed to the trial of Fitzharris would be guilty of a high breach of the privileges of the house of commons ”¹⁸.

And the parliament suddenly dissolved.

The popular party, founding their hopes on their notion of the king’s pecuniary distress, and the assurances of some in the council, had promised themselves a long session, and a certain victory. Charles on the contrary had determined in his own mind to make the duration of parliament depend on the adoption or rejection of “ the expedient ; ” and it so chanced that the vote respecting the bill of exclusion and the dispute respecting Fitzharris followed each other on the same day, a circumstance of which he dexterously availed himself, to conceal from the notice of his adversaries the measure which he had in contemplation. During the Saturday, the day of the debate, he repeatedly visited and directed the workmen in the public theatre, to which it was intended that the commons should

¹⁷ L. Journ. 755. In the house of commons it was contended that this accord meant nothing more than that the lords should not be called upon to condemn the accused in their absence, as they had done in that instance. Such most certainly could not be the real meaning of the original : yet so many centuries had elapsed since the lords had availed themselves of the accord, that it might fairly be considered as no longer in force. The

fact, however, was, that neither party cared for privilege or precedent. The impeachment arose not from the quality of the offender or of his offence, but from a wish to take the prosecution out of the hands of the court, and the real ground of the refusal to receive the impeachment was a desire to prevent the commons from interfering with that prosecution.

¹⁸ C. Journ. March 26.

transfer their sittings ; on the Sunday he made the accommodation which he had provided for them the fr̄quent subject of his discourse ; and at an early hour on Monday morning hastened in a chair, followed by a second chair containing the royal robes, to the house of lords. Not a whisper of his intention had been heard ; not a suspicion had been raised in the minds of those by whom he was surrounded and watched ; even the duchess of Portsmouth, in whose apartment by means of a private communication he spent much of his time, was kept in complete ignorance. The commons, having ordered the second reading of the exclusion bill, were listening to a learned argument of sir William Jones on the accord of the 4th of Edward III., when the usher of the black rod summoned them to the other house. They found the king seated on the throne ; he told them briefly that no good end could be expected when the very beginning was marked by dissension between the two houses ; and immediately the chancellor by his command dissolved the parliament. The surprise, the disappointment, the rage of the leaders may be conceived. Shaftesbury called on his friends not to quit the house : but the commons had already dispersed, and the peers in consequence withdrew. Charles mounted his carriage, was met on the road by a party of his guards, and proceeded to Windsor with a rapidity which had the appearance of flight, and gave birth to a notion that this hasty dissolution had been provoked by the discovery of some dangerous conspiracy against his person, originating with the opponents of the court¹⁹.

Such was the abrupt termination of this, the last, parliament in the reign of Charles II. ; and it may be considered a fortu-

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March 27.

¹⁹ See L. Journ. 757. Reresby, 120. Declaration of, April 8. Lord Grey's Confession, 12, 13, 14. North, 104. Macpherson, i. 116. Royal

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nate circumstance for the country that it never brought to a termination the important question of the succession. James was not of a temper to acquiesce either in the expedient or the exclusion : he would have appealed to arms in defence of what he considered his right ; and so profound was the reverence felt for the principles of the ancient constitution, so strong the prepossession in favour of the divine right of hereditary succession, that he would have found multitudes ready to draw the sword in his cause. Had he succeeded, he would have come a conqueror to the throne, armed with more formidable authority than he could have possessed in the ordinary way of inheritance ; and if he had failed, there was reason to fear from the political bias of the popular leaders, that the legitimate rights of the sovereign would have been reduced to the mere name and pageantry of a throne. It is probable that the dissolution preserved the nation from a civil war, and from its natural consequences, the establishment of a republican or of an arbitrary government.

King's declaration.

In a few days the king published, at the suggestion of Halifax, a declaration of the causes which induced him to dissolve the two last parliaments²⁰. After an enumeration of the several offers which he had made, offers calculated to satisfy any reasonable man, yet received with expressions of discontent, and answered in a tone of crimination and reproof, he summed up the offences of the house of commons, their illegal

²⁰ Aware that he would be accused of favouring the catholics by this dissolution, Charles on the same day declared in council his resolution that the laws against popery should be rigorously executed. The announcement filled archbishop Sancroft, who was present, "with satisfaction and joy;" and by a circular to the other bishops he called upon them, to consider "how accept-

able it would be to Almighty God to assist his majesty in his pious purpose of reducing the papists to the bosom of the church, or driving them out of the kingdom:" and he therefore required his brethren to watch over the due execution of the three canons of king James, providing for the conversion or punishment of recusants. Wilk. iv. 608.

and arbitrary orders, by which they had taken Englishmen into custody for matters that bore no relation to parliamentary privilege; their declaration that several distinguished individuals were enemies to the king and kingdom on bare suspicion, without hearing proof against them or admitting them to their defence; their unconstitutional vote that all persons who should lend the king money in anticipation of his revenue, should be responsible for such conduct to parliament; their usurpation of the power of suspending the law by resolving that the prosecution of the penal statutes against dissenters was an encouragement to popery; their obstinacy in rejecting all "expedients," and insisting on the exclusion of the duke from the succession; their design of making important changes in the government of the realm; and their endeavours to create a quarrel between the two houses, by pronouncing the lords deniers of justice, because the latter would not consent to interrupt a prosecution which the king had ordered. This declaration was read in all the churches; the people learned from it to look upon the sovereign as an injured man, oppressed by a party whom no concessions would satisfy; and addresses expressive of attachment to his person, and of confidence in his government, were presented to him from all quarters of the kingdom²¹.

It was not to be expected that the popular leaders would sit down tamely under these imputations. To the declaration they opposed an eloquent and powerful reply, under the title of "A

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Answer of
his oppo-
nents.

²¹ Kennet, 398. The following extract from the speech made by the vice-chancellor of Cambridge to the king in the name of the university, may give some notion of the sentiments of the addressers. "No earthly power, we hope, nor menaces, nor money, shall ever be able to make us forget our duty. We will still believe and maintain that our kings derive not their titles from the people, but

from God: that to him only they are accountable: that it belongs not to subjects either to create or censure, but to honour and obey their sovereign, who comes to be so by a fundamental hereditary right of succession, which no religion, no law, no fault, no forfeiture can alter or diminish." Wilk. Concil. iv. 607.

CHAP. VII. just and modest Vindication of the Proceedings of the Two last
 A. D. 1681. Parliaments," the joint production of Sydney, Somers, and Jones, men capable of imparting strength to a weak, and of ensuring victory to a righteous cause. They professed to refute each particular charge; and it must be confessed that assuming, as they did, the truth of the informations sworn by Oates and his fellow-labourers, their reasoning is always plausible, and frequently conclusive²². It failed, however, to persuade the nation. The plot had long, though slowly, been falling into discredit; in proportion as the first excitement died away, men began to wonder at their own credulity in believing such a mass of improbabilities and fiction: and the insulting language, the arbitrary arrests, the passionate and unprovoked resolutions of the house of commons, joined to the known connexion between the leaders and the presbyterian party²³, forcibly recalled to the public mind the proceedings which led to the civil war in the reign of the first Charles. The tide of popularity had turned; it now ran in favour of the court; the fear of republicanism banished that of arbitrary power; and the demagogues, who for so many years had bidden defiance to the authority, now began to quail before the resentment, of the sovereign.

Trial and
 execution of
 Fitzharris.

Charles was not slow to display his contempt for the votes of the late house of commons, by ordering the attorney-general to proceed with the trial of Fitzharris. That adventurer still clung for protection to the popular leaders; and sought to interest their passions in his favour by a succession of disclosures, some of them charging with treason or other offences sir Richard

²² Parl. Hist. iv. App. No. xv.

²³ See different bills in favour of the dis-

senters brought into parliament, C. Journ. Dec. 15, 16, 24, 1800: Jan. 3, 1801.

Bellings, some the earl of Danby²⁴, and others the queen and the duke of York. By their advice at his arraignment he pleaded the impeachment in bar of the jurisdiction of the court of King's Bench; and immediately all the legal talent of the party started forth in his defence, not, it was pretended, for the purpose of shielding him from punishment, but to preserve the rights of the people by maintaining the privileges of parliament. As the commons of England had impeached Fitzharris before the house of lords, they contended that no inferior court could withdraw the cause from the cognizance of that, the highest tribunal in the land. The crown lawyers did not fairly meet, they endeavoured to elude the objection. The impeachment, they said, lay for treason in general; it specified no particular act; and the court had no means of knowing that the offence laid in the indictment was the same as that intended by the impeachment²⁵. After several hearings, Pemberton, the chief justice²⁶, declared it his opinion, and the opinion of his brethren, that the plea was not sufficient to bar the court of its jurisdiction. The spectators were greatly disappointed. They had come prepared to hear a learned and elaborate judgment: but Pemberton, in the expectation of a severe scrutiny into his conduct in the next session of parliament, deemed it more prudent to abstain from any statement of the reasons on which this judgment was founded²⁷.

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April 27.

May 4.

May 7.

May 11.

²⁴ A true bill was found on his testimony against the earl of Danby for the murder of Godfrey. But the charge was utterly incredible. Fitzharris had never mentioned it before, when he affirmed that he had stated every thing that he knew. James (Memoirs), i. 684. Burnet, ii. 278.

²⁵ It appears to me that the true question was, whether an impeachment by the commons, *after it had been refused by the lords*,

was a bar to the jurisdiction of the court? But this was not noticed in the pleadings on either side.

²⁶ Pemberton owed his elevation to the fact that Scroggs lay himself under an impeachment, and was therefore an improper person to try the question. He retired on a pension. James, i. 623.

²⁷ State Trials, viii. 243—330. North, 287, 288.

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June 9.

July 1.

At the trial it was proved beyond contradiction that Fitzharris had furnished the substance of the libel ; and his plea, that he had no other object than to procure information for the king, was repelled by the jury. The verdict of guilty opened his eyes to the weakness of the party on whose protection he relied : he endeavoured to retrace his steps ; he pretended that the real author of the notes which he gave to Everard was lord Howard, and brought forward his wife and servant to prove his connexion with that nobleman. But these efforts were fruitless: Charles had resolved that the intriguer should suffer ; and yet, when hope was extinct, on the very morning of his execution, he gave a written confession to the divine who attended him, and at the gallows referred to it as a record of the truth. It stated that he procured the libel for the king's service, that the charge against the lord Howard was correct, and that his depositions before the trial were fables, suggested to him by the sheriffs, and by Clayton and Treby. Little credit is due to one who had always accommodated his testimony to his hopes and his interest : yet it was the confession of a dying man ; he had renounced the mercy of God if it were not true, and the impression which it made on the public induced the four citizens whom he had accused to come forward in their own vindication, and to assert that, as far as they were concerned, the statement of Fitzharris was made up of misrepresentation and falsehood ²⁸.

And of arch-
bishop
Plunket.

With this informer suffered a much better man, Oliver Plunket, the titular archbishop of Armagh, a prelate whose

²⁸ State Trials, viii. 330—339. In support of the confession was published "A Narrative, being a true Relation of what Discourse passed between Dr. Hawkins and Edward Fitzharris, Esq., late Prisoner in

the Tower." In opposition, a tract called "Truth Vindicated, or a Detection of the Aspersions and Scandals . . . in a Paper published in the name of Dr. Hawkings. 1681."

loyalty had been attested by four successive chief governors of Ireland. He had been thrown into prison on the usual charge of having received orders in the church of Rome ; when the promise of reward to informers induced some of the king's witnesses, as they were called, to select him for a principal conspirator in the pretended Irish plot. But they dared not face the man, whom they had accused, in their own country : at the trial it appeared that they were gone to England, and Plunket, instead of obtaining his discharge, was compelled to follow them. At his arraignment the chief justice granted him a respite of five weeks to procure evidence from Ireland : but his messenger was driven back by contrary winds ; his witnesses were delayed by the difficulty of obtaining passports ; the officers in Dublin refused copies of any document without an order from the council in London ; and in consequence of these delays his means of defence did not reach the English coast till the third day after his condemnation. The informers deposed against him that he had been raised to the dignity of primate for the purpose of preparing a way for the invasion from France ; that he had made a survey of the coast and fixed on the harbour of Carlingford for the debarkation of the French army ; that he had collected large sums of money, had ordered musters of all catholics able to bear arms, and had organised a force of seventy thousand men to join the invaders, massacre the protestants, and establish the catholic worship. Plunket replied that his was a most extraordinary case : for, had he confessed himself guilty of these offences in his own country, yet an Irish jury must have acquitted him from their personal knowledge that the charge could not by any possibility be true. But he had been brought away from a place, where his own character, the conduct of his accusers, and the state of the country, were

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May 3.

June 8.

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known, to be tried before men whose ignorance of all these things rendered them incapable of forming a correct judgment of his guilt or innocence. Had his evidence arrived, he should have shown, that the witnesses against him were men undeserving of credit, apostate friars whom he had punished for their immorality, and convicted felons, who had forfeited their reputation. But of such aid it was not in his power to avail himself, because it was still on the road. The only thing which he could now oppose to the oaths of the accusers was the solemn asseveration of his innocence, and the utter improbability that he had been able to collect sufficient money for the support of an army, when it was well known that he could never raise an income of 70*l.* a-year for his own subsistence. The jury, however, found him guilty, and when the earl of Essex, who had been lord lieutenant of Ireland, solicited his pardon, declaring from his own knowledge that the charge against him could not be true, the king indignantly replied, “Then, my lord, be his blood on your own conscience. You might have saved him if you would. I cannot pardon him, because I dare not.” Plunket suffered, and was the last of the victims sacrificed to the imposture of the popish plot: for the day of retribution was now rapidly approaching, and the storm which had so long raged against the catholics, was about to burst on the heads of their oppressors ²⁹.

Designs
against the
popular
leaders.

Of the popular leaders, introduced into the council years before, not one at present remained. The earl of Salisbury had voluntarily withdrawn; Essex and Sunderland, and even Temple himself, had been dismissed; and the statesmen, who possessed the royal confidence, were the lord chancellor, and

²⁹ State Trials, viii. 447—500. Challoner, ii. 461—472. Burnet, ii. 279.

the lord president, the earl of Halifax, Jenkins and Conway the secretaries, Seymour the late speaker, and Hyde, lately created a viscount³⁰. All these agreed, or appeared to agree, in opinion with the king, that many among their opponents meditated a change of dynasty, if not of government, and that, despairing of success by legal means, they had determined on the employment of force during the late parliament at Oxford. Under this impression the council sought out proofs of their presumed guilt; and many of the same arts which Shaftesbury had practised to prop up the forgeries of Oates, were employed to procure evidence of treason against Shaftesbury and his associates. The witnesses, who hitherto had shaped their testimony at his nod, observed with dismay the recent change of public opinion; they began to fear the punishment of their perjuries from the justice of the sovereign; and, as the price of their safety, they readily devoted their future services to the stronger party. To have refused the offer would have been upright and magnanimous: but it was manifest that these men from their past connexion with Shaftesbury and his friends must have become acquainted with their practices, perhaps with their objects; the hope of discovery and the desire of vengeance prevailed; and to the objection that the depositions of such witnesses would deserve but little credit, it was replied, that the

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³⁰ James (Memoirs), i. 677. I ought perhaps to notice the arrival of the prince of Orange in England during this summer. His ostensible object was to prevail on the king to unite with Spain and the States in opposition to the encroachments of France: to which Charles objected the disputes between himself and the parliament. The prince held several conferences with the ministers and with the popular leaders under the pretence of effecting a reconciliation, and then departed, as the king believed, with different

sentiments from those which he formerly cherished. What passed between him and the opponents of the court, we know not: but when Charles invited him the next year to meet the duke of York, he excused himself on some pretext or other, but, as was believed, because he did not think it for his interest in England to be on good terms with his father-in-law. James (Memoirs), i. 690—692. Dalrymple, 1—13. D'Avaux, i. 80, 83, 118.

CHAP. VII. value of their testimony became a question for the consideration
 A. D. 1681. of the jury.

Charge
 against lord
 Howard.

The first to experience the effects of this reaction were the lord Howard, College, surnamed from his zeal the protestant joiner, Rouse, the marshaller and leader of the mob from Wapping, and the great agitator, the earl of Shaftesbury, all of whom placed their principal reliance for safety on the protection of the grand juries, returned by sheriffs attached to their party.

June 12.

1. Lord Howard had been committed to the Tower on the denunciation of Fitzharris: but there was an important discrepancy between the evidence of the wife, and of the servant of the informer, and the grand jury refused to find the bill of indictment. The attorney-general, however, had the address to withdraw it before it had been endorsed; and by this artifice prevented the prisoner, though he claimed his discharge, though he took the sacrament on his innocence, from being admitted to bail, till he had suffered an additional imprisonment of five months ³¹.

Trial and
 execution of
 College.

2. The accuser of College and Rouse was Bryan Haynes, who first offered his services to Shaftesbury, but had subsequently the sagacity to discover his error, and to range himself under the banner of the court. Aware of the political principles professed by the persons who composed the grand jury, the attorney-general demanded, and the chief justice ordered, that the proceedings on the bill of indictment against College should be taken in open court. But the experiment failed. Though the witnesses had been held worthy of credit in the prosecutions on the popish plot, the jury refused to believe them against the protestant joiner. The crown lawyers, how-

July 8.

³¹ No Protestant Plot, iii. 111. Ralph, 600, note, 606.

ever, discovered that some of the offences with which the prisoner was charged, had been committed in Oxfordshire; a new bill against him was found by the grand jury of that county; and College was tried in Oxford on the charge of having gone in arms to that city, for the purpose of seizing in conjunction with certain of his associates the person of the king³². This trial exhibited a new and extraordinary spectacle. The men, who had hitherto been accustomed to lend to each other the aid of their oaths in confirmation of their numerous forgeries concerning the popish plot, appeared in court divided into two bodies, and marshalled in hostile array against each other, under the guidance of their respective leaders, Dugdale and Oates. Dugdale, Turberville, and Smith swore positively to the guilt of College; Oates, Bolron, and others contradicted their testimony, and vilified their characters³³. It is evident that no credit was due to either party: but the charge against the prisoner derived a feeble support from the known activity of College, the intemperance of his language, and his habit of singing songs, and distributing prints reflecting on the character of the monarch. That he had been engaged in many unjustifiable practices cannot be doubted: but the impartial reader of his

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July 16.

Aug. 17.

³² In the case of Atkins, Shaftesbury had ordered the prisoner to be furnished with pen, ink, and paper, and then took his writings from him, that the prosecutors might become acquainted with his defence; in consequence of which they sent for and examined his witnesses. (*State Trials*, vi. 1494.) As a set-off against this act of oppression has sometimes been mentioned the taking away of College's papers after his arrival at Oxford. But there is a considerable difference between the two. Aaron Smith, the Whig attorney, offered the gaoler a bribe of four guineas for admission to the prisoner. Being refused, he obtained an order from the chief justice, and

was observed to place a parcel of papers in the hands of College. These were seized, and after the prisoner had pleaded, were examined by the court. They proved to be instructions for his defence, with objections in law, and a speech containing reflections on the government. The judges ordered a copy to be made, omitting such passages as they deemed seditious, and delivered it to the prisoner. *State Trials*, viii. 570, 582—587.

³³ To punish Oates for his conduct at this trial, his pension was taken from him, and he was turned out of his lodging at Whitehall. *Bulstrode*, 329. *Loyal Protestant*, No. 52.

CHAP. VII. trial will be inclined to dispute the propriety of the verdict
 A. D. 1681. returned by the jury, and to assent to his solemn asseveration
 Aug. 31. under the gallows, that he died innocent of any treasonable act
 or intention ³⁴.

Discharge of Rouse. 3. His associate Rouse was more fortunate. The grand jury
 Oct. 19. ignored the bill, and there existed no charge against him in any
 other county. He recovered his liberty : but, incapable of pro-
 fitting by experience, he suffered in 1683 for a new offence the
 same ignominious manner of death from which he had escaped
 in 1681 ³⁵.

And of ' Shaftesbury. 4. The information against the earl of Shaftesbury was furnished
 by his three Irish witnesses, who accused him of having suborned
 them to give false testimony against the queen, the duke of
 York, the lord lieutenant, and the lord chancellor of Ireland.
 His scornful and threatening carriage before the council inti-
 midated some of the members : but his boldness forsook him
 when the warrant for his commitment was signed, and the very
 rabble hooted him on his way to the Tower. There he yielded
 to the suggestions of prudence or despair : but his offer to
 expatriate himself, by repairing to his plantation in Carolina,
 was refused, and the king avowed his determination of bringing
 him to a trial before his peers. Every exertion was made to
 defeat the royal purpose by procuring the rejection of the
 indictment by the grand jury. The new sheriffs Shute and
 Pilkington summoned for that purpose men, known to be violent
 enemies of the court : pamphlets and narratives and instructions
 for jurymen of the most inflammatory tendency were published ;
 and the hall was filled with the retainers of the party from

³⁴ State Trials, viii. 549—746. Bulstrode,
 325. North, 587—589.

³⁵ North, 586. James (Memoirs), i. 713.

Wapping and the suburbs. The proceedings, as in the case of College and Rouse, were held in public in presence of the judges: yet so violent was the conduct of the spectators that the witnesses repeatedly complained of danger to their lives, and the judges themselves did not feel in safety on the bench. The indictment charged the earl with having made warlike preparations for the purpose of compelling the king to yield to the wishes of the parliament at Oxford; and was supported by the testimony of Booth who pretended that he had been actually engaged for that service, of Haynes whom Shaftesbury himself had recommended to the king as a person of honour and conscience, and by several of the witnesses whom he had brought from Ireland to support the pretended Irish plot. That the jury had previously determined to disbelieve their evidence is highly probable: but there was so much in their conduct and characters to awaken suspicion, that any twelve impartial men would have come to the same conclusion. The bill was returned "ignoramus:" the hall shook with applause; and the day was closed with the ringing of bells, the burning of bonfires, and shouts of "a Monmouth, a Shaftesbury, and a Buckingham³⁶."

CHAP. VII.
A. D. 1681.

This triumph, however, was of short continuance. While the party congratulated themselves on the escape of their leader, the publication of two papers, found in his possession, and produced in court, awakened the spirit of the Tories, and gave a decided superiority to their cause. Of these one was the form of an association for the purpose of maintaining the protestant religion, and of excluding James, duke of York, and every other papist, from the succession: and for that end the

Addresses to
the king.

³⁶ James (Memoirs), i. 687, 714. Macpherson, 122, 124. State Trials, viii. 759—842. North, 110—115. Burnet, ii. 289. Reresby, 124, 127. Coke, 309—313.

CHAP. VII. subscribers were made to vow before God, that they would
A. D. 1681.
pursue unto destruction all who should oppose their just and
righteous intention; and, for the better success of this pious
work, would follow such orders as they should receive from
parliament, while it sate, or from the major part of the members
of parliament, being associators, after its prorogation or dissolution;
and would obey such officers as by the same persons should
be set over them in their respective counties, cities, and boroughs.
The other paper purported to be an alphabetical list of the
most considerable individuals in every shire, divided under two
heads into "worthy men" and "men worthy," designations
interpreted to mean, "worthy of trust, and worthy to be
hanged³⁷." The knowledge of these papers, the treasonable
tendency of the first, and the invidious distinction made in the
second, threw the nation into a ferment. The form of association
was not, indeed, in the writing of Shaftesbury: but no one
doubted that it was either drawn by him, or under his direction,
and that it perfectly accorded with the real views of the party.
Of the "worthy men," numbers hastened to prove that they had
no claim to the honourable designation: and the "men worthy"
felt the stigma put on their characters, and eagerly sought for
revenge. In a short time addresses poured from every quarter
into Whitehall, expressive of the most fervent attachment to the
sovereign, and the deepest abhorrence of the association and
its abettors. Its object was pronounced treason not only against
the person of the king, but the constitution of the kingdom, and
more ruinous to the nation than "the old hypocritical solemn
league and covenant;" the men who refused to find the bill
against its author or contriver were declared to have perverted

³⁷ State Trials, viii. 782—787. North, 112. L'Estrange, Brief Hist. 100. Echard, 1014.

the laws, and “to have aimed at a tyrannous dominion over both the sovereign and his people;” and Charles was assured that his faithful subjects held all such illegal unions in detestation, and would defend to their utmost ability both him and his lawful successors from all traitors and conspirators whomsoever³⁸.

CHAP. VII.
A. D. 1681.

The king hastened to improve this enthusiasm of the people to the prejudice of his opponents. 1. The most obnoxious of the “worthy men” were successively and silently weeded out of the commission of the peace, and their vacant places supplied from the list of “men worthy,” or from those clergymen, who had distinguished themselves by their advocacy of the doctrine of passive obedience. 2. As the majority of the dissenters had hitherto lent their aid to the popular leaders, they were now made to pay the penalty of their disaffection to the court. At the request of the magistrates of Middlesex, the king ordered the laws “against conventicles and unlawful meetings under pretence of religious worship,” to be put in immediate execution: the loyal and the zealous, the interested and the vindictive availed themselves of the opportunity; and the fines, distraints, and imprisonments of former periods were immediately revived³⁹. 3. Lastly, an attack was meditated on the privileges of the city, the stronghold of the exclusionists. At the election of the chief magistrate the court had prevailed in favour of sir John More, a quiet and inoffensive citizen, who, though he had been an addresser, met with little opposition from the party on account of his timid and retiring disposition. But the election of sheriffs, considering all circumstances, was a matter of greater importance. On them depended the choice of indi-

Who reforms
the magis-
tracy.

Enforces the
law against
conventicles.

And brings
an action
against the
city.

³⁸ See the addresses in the London Gazette, and particularly those from the magistrates at Hick's Hall, and the benchers of

Gray's Inn, and the Inner Temple.

³⁹ Neal, ii. 727.

CHAP. VII.
A. D. 1681.

viduals to serve on juries ; and a general persuasion prevailed that, as long as the sheriffs were devoted to the opposition, no verdict against the leaders or their associates would be obtained by the crown. On this account it was proposed to the king in council to lay an information, in the nature of a *quo warranto*, in the King's Bench, to inquire by what authority the city claimed the rights and privileges which it exercised. In that case, either the fear of forfeiture would induce the corporation to solicit the royal favour, or the judgment of the court would deprive them of the powers which they employed to the prejudice of the royal authority. The king gave his assent, and in Hilary term the information was filed : but, what with the plea and answer, the rejoinder and surrejoinder, the rebutter and demurrer, and the dilatory forms of proceeding, more than eighteen months elapsed before the question was argued and judgment given⁴⁰. In the mean time the reader may turn his eyes towards Scotland, and take a rapid view of the most interesting events which had occurred in that kingdom.

Mich. 33
Car. 2.

The Camer-
onians in Scot-
land.

The defeat at Bothwell bridge had tamed the spirit of the covenanters. By frequenting the churches of the indulged ministers they succeeded in screening themselves from the notice and severity of the government ; and in a few weeks it appeared as if the party, which recently excited such general alarm, had entirely ceased to exist. There was, however, left a remnant of faithful Israelites, inconsiderable in number, and despicable in point of influence, but men of wild fanaticism and indomitable zeal, who followed their spiritual guides, Cargill

⁴⁰ James (Memoirs), i. 714. North, 629. State Trials, viii. 1039—1086. See in Jenkins, ii. 684, a sensible letter from that statesman to the duke of York, stating his

reasons for dissenting from the rest of the council on the question of the policy and justice of this prosecution.

and Cameron, into the desert, and were fed by them among the glens and morasses with the manna of the divine word. The contemplation of their forlorn situation naturally led the enthusiasts to inquire into the authority of those by whom their sufferings were inflicted : they discovered that it was not in the power of their ancestors, who had made the succession hereditary in a particular family, to bind posterity, or to purchase their own liberty with the slavery of their descendants ; and they argued that, since Charles Stuart, by rejecting the covenant, had broken the condition on which he received the crown of Scotland, he had therefore forfeited all right to the exercise of the regal authority ⁴¹. Convinced of the truth of this doctrine Cameron, accompanied by twenty of his disciples, proceeded to the small burgh of Sanquhar, and, having publicly read, affixed to the cross, “ a declaration and testimonie of the true presbyterian, anti-prelatic, anti-erastian, and persecuted party in Scotland.” In this singular instrument they “ disowned Charles Stuart, who several years before for his tyrannie should have been denuded of being king, ruler, or magistrate ; and under the banner of the Lord Jesus Christ, the captain of their salvation, they declared war with such a tyrant and usurper—they also disowned and resented the reception of the duke of York a professed papist in Scotland, as repugnant to their principles and vows to the most high God ;—and in conclusion they hoped that no one would blame them if, as the Lord gave opportunity, they should reward their opponents in the same manner as had been done to them ⁴².”

CHAP. VII.
A. D. 1680.

1680.
June 3.

June 22.

⁴¹ Wodrow, ii. App. 45, 46. State Trials, x. 795.

⁴² Wodrow, App. 47. State Trials, x. 805. I should have observed that *Erastus*

was a physician in Switzerland, who taught that the church had no regular authority to censure or excommunicate, but was subordinate to, and dependent on, the civil power.

CHAP. VII.
A. D. 1680.

They excommunicate the king.

July 20.

Sept.

The host of Israel, the men prepared to support this bold defiance, amounted to six-and-twenty horse, and about forty foot: but they prayed, when others would have watched, and were surprised by three troops of dragoons at Airmoss in the county of Kyle. At the approach of the enemy Cameron exclaimed, "Lord, take the ripest, spare the greenest;" and, calling to his men to follow, hastened to meet the assailants. He fell; his brother and seven of his companions shared his fate; and Rathillet, whom the reader will remember at the assassination of archbishop Sharp, was wounded with a few others, and made prisoner⁴³. The martyr had the honour of giving the name of Cameronians to the party; Cargill escaped, and prepared to avenge his death. At Torwood in Stirlingshire he assembled his disciples, and, having first lectured and then preached, proceeded to pronounce judgment in the following solemn manner. "I, being a minister of Jesus Christ, and having authority from him, do, in his name and by his spirit, excommunicate, cast out of the true church, and deliver up to satan, Charles II. king of Scotland, for his mocking of God, his perjury, his uncleanness of adultery, and incest, his drunkenness, and his dissembling with God and man." By the same authority, and in similar terms, he excommunicated James, duke of York, for idolatry, James, duke of Monmouth, for his invasion of the Lord's people at Bothwell-bridge, John, duke of Lauderdale, for blasphemy, apostacy, and adultery, and the duke of Rothes,

⁴³ Wodrow, 140, 143. Rathillet was tried for "treason and the sacrilegious murder of Archbishop Sharpe." He declined the authority of the king and of the court, "because they had usurped a supremacy over the church, belonging alone to Jesus Christ, and had established idolatry, perjury, and other iniquity in the land, and for that purpose had

shed much innocent blood. Therefore he, as adhering to Christ, his rights, and kingly office, declined them that are his (Christ's) open enemies and competitors for his crown and power, as competent judges." He was condemned and suffered July 30, 1680. See the original documents in State Trials, x. 791—850.

sir George Mackenzie the king's advocate, and Dalziel of Binns for different offences. Ridiculous as such a sentence must have appeared to those who were its object, it made a deep and fearful impression on the hearers of Cargill, to whom he asserted that "no power on earth of kings, princes, magistrates, or ministers of the gospel, could, without the repentance of the persons, openly and legally appearing, reverse this excommunication⁴⁴."

CHAP. VII.
A. D. 1680.

These proceedings sharpened the vigilance and severity of the council, who began to consider that their own lives, as well as the reputation of government, were at stake. The Cameronians, indeed, had hitherto confined their efforts to measures of self-defence; but there was reason to fear that, if their numbers should multiply through neglect, they might proceed to acts of aggression; and the murder of the archbishop had shown how easily such enthusiasts could mistake the suggestions of revenge for the inspirations of heaven. The prisoners brought from Airmoss paid the forfeit of their rebellion: a strict search was made not only after their associates in the field, but also the professors of their doctrines; and six of the latter testified with the loss of their lives the sincerity of their belief. Among them were two females, Isobel Alison, and Marion Harvey, whose zeal might indeed require coercion, but whose obstinacy could not deserve the punishment of death. In prison the bible was their chief consolation: the lecture of the book of canticles threw them into extacies of joy; and, as they ascended the fatal ladder, they cheered their last moments

Severities
against them.

1681.
Jan. 26.

⁴⁴ Wodrow, 144. Crookshank, 71. Cargill was taken in July, 1681. He excommunicated the king, disowned his authority, and maintained from the examples of Jael and

Phineas, that a private person having a call from God might lawfully put another to death. See Wodrow, ii. 185, 186. App. 54, 55.

CHAP. VII. by applying to themselves the passage, "my fair one, my lovely one, come away." The duke of York, who had recently arrived in Scotland, doubted the policy or the justice of these executions. To some of the sufferers he sent an offer of pardon, if they would only say, "God bless the king:" but, though the rope was already round their necks, they rejected a condition, which they deemed an apostacy from their principles⁴⁵. There remained others equally ready to grasp the crown of martyrdom: but the duke deprived them of the splendid prize, by transferring them to a life of hard labour in the house of correction, or enrolling them in a regiment of Scots in the service of the king of Spain⁴⁶.

Conduct of
James in
Scotland.

The first care of that prince was to study the political state of Scotland; and a short inquiry convinced him that the spirit of resistance to the court, which had driven him from England, had made but few proselytes among the Scots. The people generally looked up to the nobility as their natural guides, and the nobility, with only two exceptions, professed themselves the devoted servants of the crown. Persecution, indeed, had provoked a different feeling in the breasts of the more rigid covenanters; but these existed only in a few districts of the

⁴⁵ They were Skene, Potter, and Stewart. Skene had already been turned off, when Potter seemed inclined to pronounce the words, but his wife, seizing him by the arm, and nearly pulling him off the ladder, exclaimed: "Go, die for the good old cause, my dear. See Mr. Skene. He will sup to-night with Jesus Christ." Again in 1684, Dec. 9: "Ten were pannelled for disowning his majesty's authority. Six were so wise as to resile: the other four were so mad as to deny to say 'God save the king.' Three would have done it: but by the pestilent society of the fourth were obdured." All four suffered death. Fountainhall, Decisions, i. 318.

⁴⁶ Burnet, ii. 293—295. Fountainhall, in State Trials, x. 877. The fact that on one occasion James accompanied a committee of the council, when the leg of a prisoner (Spreul) was placed in the boot, has been frequently brought forward as a proof that the duke was naturally cruel. But certainly many other reasons might be devised for his presence, besides the wish to gratify himself with the sight of human suffering. The prisoner was to be examined respecting a supposed conspiracy to blow up the Abbey and the duke in it. Wodrow, ii. 163.

west and south, and formed a party too contemptible in point of number, and too dispirited by a long course of suffering, to create the slightest apprehension. The principal evils arose from the family feuds among the nobility, which divided them into hostile parties, and made each individual anxious to exalt himself by the depression of his enemy; from the hereditary jurisdictions, which were exercised by the possessors in the most haughty and tyrannical manner; and from the misrule of Lauderdale, whose chief object had been to enrich his duchess and his dependents at the expense of law and justice. Seven commissioners of the treasury with high salaries administered a scanty income of 60,000*l.*: the farmers of the customs and the excise were encouraged by the connivance of the government to extort money by illegal artifices; and the troops, supposed to have been raised for the purpose of checking the depredations of the highlanders, existed only in the muster-rolls of the officers who received the pay of these imaginary guardians⁴⁷. It was obviously the interest of James to ingratiate himself with the nation. With this view he employed the influence of his high rank to heal the dissensions which divided so many noble families, sought to relieve the people from oppression by the gradual and noiseless removal of Lauderdale's dependents, and suggested to his brother such other remedies as could only be applied by the will of the sovereign. In a few months James had become popular in Scotland⁴⁸.

CHAP. VII.
A. D. 1681.

While, however, he appeared to devote his attention to the

He is refused permission to return.

⁴⁷ The duke proposed that this money should for the future be divided between Huntley, Argyle, Athol, and Seaford, the four great highland chiefs, and that they should be made responsible for all depredations committed by the clans dependent on

them. They already had the power, they would then have the will, to prevent the incursions of the highlanders. James (*Memoirs*), i. 706.

⁴⁸ See James (*Memoirs*), i. 580, 644, 704—707. Burnet, ii. 292.

CHAP. VII. concerns of that country, he kept his eye constantly fixed on the transactions in England. The meeting of the parliament in Oxford had plunged him into despair; its sudden dissolution taught him to rely on the firmness of the king. Yet his hopes were not speedily realized. By the advice of Halifax his first petition to be recalled to England was peremptorily refused: to his second, that he might hold a parliament in Scotland, Charles gladly signified his consent. The object of the monarch was to soothe the feelings of his brother wounded by the previous refusal of James to procure from the Scottish parliament a recognition of his right to the Scottish throne.

Scottish parliament.
July 28.

Aug. 31.

The duke, in quality of royal commissioner, opened the session with a speech, expressive of the king's readiness to unite with his people in providing security for the protestant religion, and of his confidence that he should find them equally ready to concur with him in securing the rightful descent of the crown. His wishes were gratified. The first act passed by the estates confirmed all the existing laws in support of the protestant religion, and all acts made against popery: the second declared that the kings of Scotland derived their royal power from God alone, that they succeeded thereto lineally and according to the known degrees of proximity in blood; that no difference of religion, no act of parliament made or to be made, could alter or divert such succession, and that to alter, invert, or suspend the next heir from the administration of the government according to the laws of the kingdom, amounted to an act of treason⁴⁹. Much altercation followed respecting the grievances which had been suffered under the administration of the duke of Lauderdale⁵⁰, and the tyranny which was exercised by

⁴⁹ Wodrow, ii. App. p. 59. Scottish statutes, 1681, c. i. ii.

⁵⁰ Proof was offered of the perjury of lord Hatton, Lauderdale's brother, on Mitchel's

the lords possessed of hereditary jurisdiction. But the most important act of the session was the imposition of a new test, which had been equally called for by the government to check the diffusion of the antimonarchical doctrines preached by the Cameronians, and by the more zealous among the protestants, as a counterpoise to the influence of a catholic successor. But here a difficulty arose, how to define the protestant religion so as to give general satisfaction in a country, where episcopacy was, indeed, established by law, but presbyterianism retained its hold on the hearts of the people. For many years the Westminster confession of faith had formed the authorized creed of the Scottish kirk; but by the recissory act of 1661 this document had been stripped of its authority, and the only form of doctrine which still possessed the sanction of the legislature was the more ancient confession framed in 1560, and approved in the first parliament of James VI. in 1567. On the present occasion the lords of the articles, among whom was the earl of Argyle, proposed the ratification of this confession, and Dalrymple, the president of the court of session, moved that it should be recognized in the new test as the standard of the protestant religion. Paterson, bishop of Edinburgh, saw the difficulty, but after some opposition acquiesced; and an act was passed ordaining that all laws against papists and fanatical separatists from the national church should be rigorously enforced, and that all persons in public trust, with the exception

CHAP. VII.

A. D. 1681.

A new test.

Aug. 31.

trial, and of a conspiracy in which he had engaged to convict lord Bargeny of rebellion. James prevailed to have the cognizance of these matters referred to the king, for which his enemies have severely reproached him. It appears, however, from a note in the new edition of Burnet (ii. 299) that the duke had already sent the proofs of the first of the

cases to the king, who in consequence had deprived his old confidant Lauderdale of all his employments; and that Lauderdale was far from thinking James a friend to himself or his brother, appears from his opposition in England to the proceedings of the duke in Scotland.

CHAP. VII. of the lawful brother and sons of the king, should take the test
 A. D. 1681. appended to the act, under the penalty of forfeiture and incapacity to hold office. That test consisted of—1. a profession of adhesion, and a promise to adhere, to the true protestant religion contained in the confession of faith recorded in the first parliament of James VI. ; 2. the usual recognition of the king's supremacy over all persons civil and ecclesiastical, and a renunciation of all foreign jurisdiction ; 3. a rejection of the doctrines and practices already condemned by the declaration prescribed in the eleventh act of the first parliament of the king, and lastly an acknowledgment that there “lay no obligation from the national covenant, or the solemn league and covenant, or any other manner of way whatsoever, to endeavour any alteration in the government in church or state, as it was then established by the laws of the kingdom ⁵¹.”

Opposed by
the clergy.

To the episcopal clergy the obligation of swearing adherence to a presbyterian confession of faith appeared at first an intolerable grievance. But their repugnance gradually wore away, when it was discovered that in point of church government this instrument contained no provision inconsistent with the established discipline ; and when the council, to do away objections on the ground of a few speculative doctrines of minor importance, had published a declaration, that the test was not meant to apply to every part of the confession, but only to the “ true protestant religion founded on the word of God, and contained therein, as opposed to popery and fanaticism,” and that it neither made nor intended to make any invasion of the intrinsic spiritual power of the church, nor offered any prejudice to the form of episcopal government. A feeble attempt was, indeed, set up

⁵¹ See it in *State Trials*, viii, 870 ; and *Scottish statutes*, 1681, c. vi.

to keep alive the opposition, by maintaining that in making such declaration the council had exceeded its legitimate authority : because no court inferior to the parliament could possess the right of explaining the intention of parliament. But the majority of the beneficed clergy were too prudent to sacrifice their emoluments to unfounded scruples : and the dissidents, who resigned their livings, did not amount to more than eighty, influenced not so much by their objection to the confession of faith, as to the recognition of the king's supremacy, which, having been armed with the most arbitrary power by Lauderdale's act of 1669, they considered as dangerous in the possession of a catholic successor.

CHAP. VII.
A. D. 1681.

Among the laity the recusants were confined chiefly to the small number of individuals connected with the Whig party in England, who looked on several clauses in the test as repugnant to the political principles which they cherished, and to the designs which they meditated. The dukes of Hamilton and Monmouth accordingly resigned their offices : but the man, whose determination was expected with the greatest impatience, was the earl of Argyle. He had many powerful enemies among the Scottish nobility : during the session the earl of Errol had presented a bill praying that Argyle might be compelled to settle the pecuniary claims of several parties against the family estates, and the king's advocate had disputed his right to the hereditary sheriffdoms, which he held, and to his office of justice-general of Argyleshire and the isles ; and though James, by the interposition of the royal authority, had shielded him from these suits, yet the dismissal of the earl from the court of session showed that his conduct had given offence. By his adversaries it was hoped that he would refuse the test :

By some of
the laity.

CHAP. VII. for some time he hesitated ; but the desire of preserving so many
 A. D. 1681. valuable hereditary jurisdictions prevailed ; and he offered to
 It is taken by Argyle with limitations. take it with the following explanation : that he meant to bind
 Nov. 3. himself by it, “ only in as much as it was consistent with
 itself and the protestant religion ; and not to debar himself
 from endeavouring, in a lawful way and in his station, to make
 such changes in church and state as he might judge beneficial.”
 It is difficult to understand the necessity of these limitations.
 His only object in the first part was, as he stated, “ to clear
 himself from cavils,” for he had no notion that “ the test
 imported any thing contrary to the protestant religion,” and the
 second could hardly be requisite, for the general denial of any
 obligation “ to endeavour alterations in the government ” could
 never be understood as a renunciation of the right belonging to
 him as a peer of parliament. The duke of York remarked to
 him, that such was the real meaning of the test, and that he
 deluded himself, if he thought that he had imparted to it any
 new signification.

Argyle is
 imprisoned.

When Argyle took the test with this explanation, many of the
 spectators betrayed their disappointment by their looks ; but
 James was satisfied, and though the council maintained that he
 ought not to have suffered it, he resolved “ to pursue the
 matter no further.” But new representations were made to him :
 Nov. 4. the earl was summoned to qualify a second time as a com-
 missioner of the treasury ; then his explanation was refused ;
 Nov. 5. and, though he waited on the duke and satisfied him of the
 Nov. 9. rectitude of his intention, he received an order to place himself
 in confinement in the castle of Edinburgh. Soon afterwards
 the king’s advocate, in consequence of instructions from England,
 Nov. 20. accused him of treason, leasing-making, and perjury, charges

raised on a slight foundation indeed, on nothing more than the explanatory clause which he had added to the test in presence of the council⁵². CHAP. VII.
A. D. 1681.

The reader will perhaps imagine that the object of the court was merely to intimidate Argyle, and the few who might feel disposed to follow his example. But in the course of three weeks he was brought to trial. The crown lawyers contended that in his explanation he had claimed for each individual the authority of determining in what sense parliamentary tests were to be understood; that he had defamed the legislature by insinuating that it imposed contradictory oaths, and violated the protestant religion; that he had recommended to the people the doctrine of the rebels and covenanters, that every man possesses a right to make, according to the dictates of his private judgment, alterations in church or state, "without any regard whether the king should disassent or not;" and that he had usurped the sovereign authority by declaring that he understood this his explanation to form a part of his oath. To such frivolous and captious reasoning it was replied, that the earl, being called upon to qualify himself for office, had a right to state the real sense in which he meant to take the test: that his only motive was a wish to exonerate his conscience, and avoid all manner of evasion or equivocation; and that no reasonable man would confound a confidential communication to the council with an attempt to breed discord and sedition between the king and his subjects⁵³. But the lords of justiciary pronounced their opinion, that the offences charged amounted to the guilt of

And condemned, but escapes.

Dec. 12.

Dec. 12.

⁵² Stewart's case of the earl of Argyle with several other documents in State Trials, vii. 866, 883.

⁵³ State Trials, 908—944; and State Tracts, ii. 151—216. They were Collington, who was *non liquet*; Harcarss, who pro-

nounced in favour of Argyle; Newton, Forrest, and Nairn, who pronounced against him; and Queensberry, who gave no opinion, because the majority had already decided. Fountainhall, Dec. 12, 13.

CHAP. VII. treason, leasing-making, and leasing-telling, but not to that of
 A. D. 1681.

Dec. 18.

perjury ; and the assize or jury, with the marquess of Montrose at their head, found the prisoner guilty. When Charles received the intelligence, he granted permission that judgment might follow, but added a strict injunction that the execution should be suspended till he had declared his further pleasure⁵⁴. But Argyle dared not trust to the mercy of the sovereign against the violence of his adversaries. He did not wait for the arrival of the letter ; but left his cell in the disguise of a page bearing the train of his daughter-in-law, lady Sophia Lindsay. Though twice questioned, he contrived to lull the suspicion of the guards ; and, as the king did not suffer any search to be made after him, found at first a secure asylum in England, and thence repaired in safety to Holland⁵⁵.

Dec. 21.

His lands
 restored to
 his family.

Dec. 23.

In 1662 the earl, then lord Lorn, had received judgment of death, because in a confidential letter he had used the words "the king will see the tricks of my enemies," which was pronounced an act of leasing-making between the sovereign and his parliament : now a similar condemnation was pronounced against him in his absence on a charge equally absurd and malicious. These instances show the degraded condition of the Scottish nobility at this period. So violent were the animosities engendered among them by family quarrels, so recklessly did they pursue their own advancement by the depression of their enemies, so complete was the dependence of both judges and jurors on the government, that each individual might be said to hold his

⁵⁴ See the council's letter stating that the process would be imperfect without the judgment, and Charles's answer, *State Trials*, viii. 946, 980.

⁵⁵ *State Trials*, viii. 983—990. It was proposed the next day in council that lady

Sophia for this offence should be whipped through the streets of the capital ; but James cut short the discussion by remarking, "that they were not used to deal so cruelly with ladies in his country." *James*, i. 710.

life and estates at the pleasure of the sovereign. Nothing was more easy than to accomplish the ruin of an obnoxious nobleman. However innocent were his conduct, however cautious his language, something could still be discovered, which the ingenuity of the advocate might convert into the capital offence of leasing-telling or leasing-making. We are indeed assured that on the present occasion neither the king nor his advisers sought to take the life of Argyle. The object of the first was to obtain possession of certain extensive jurisdictions, which he deemed it dangerous to leave in the hands of a subject; of the others to gratify their revenge by the humiliation, and to improve their own fortunes out of the spoils of an opponent. This is probably the truth⁵⁶: but the motive can furnish no apology for the injustice and cruelty of the prosecution, which has left an indelible stain on the memory of the royal brothers, of the duke, who was persuaded to recommend it, and of the king, by whom his recommendation was approved. Argyle remained in banishment: to his son, the lord Lorn, Charles, having previously made provision for the satisfaction of his father's creditors and the support of the younger branches of the family, restored the forfeited estates. But the hereditary jurisdictions were retained in possession of the crown; and these, together with the sheriffdoms and regalities surrendered by Hamilton and Monmouth, were parcelled out among the supporters of the court, to be holden by them during the royal pleasure⁵⁷.

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A. D. 1681.

⁵⁶ It is positively asserted in the *Life of James* (709), and Macpherson's extracts (i. 123, 131), that the condemnation would have been followed by a pardon. So it was reported at the time, and Argyle himself believed that on this account both judges and jurors felt less scruple at their part in the

proceedings. *State Trials*, viii. 949. 950.

⁵⁷ *James (Memoirs)*, i. 711. It is, however, but justice to hear the duke's answer to colonel Legge, who in a letter told him that many people "taxed him with severity in the affair of lord Argyle." "It is not the first wrong of that kind which has been done

CHAP. VII.
A. D. 1681.

The duke is
recalled to
England.

Aug. 31.

But the administration of James in Scotland was now drawing to a close. Halifax, indeed, laboured to impress on the mind of the king a notion, that to recal the duke, as long as that prince professed himself a catholic, would be to forfeit his present popularity; and Charles hesitated not to inform his brother, that he must never expect to set his foot on English ground, till he had conformed to the established church⁵⁸. From the despondency caused by this message James was relieved by the intrigues of his former enemy, the duchess of Portsmouth. To mark his sense of her connexion with the popular leaders, Charles had made her feel his displeasure. She hastily retraced her steps: the king, after a short struggle, yielded to the arts and blandishments which she knew so well how to employ; and she re-established her empire over his heart, and retained it to the end of his reign. But experience taught her to consider the brittle tenure by which she held her present greatness. Were she to survive the king without provision for the future, she could expect nothing from his successor, whom she had so deeply offended, nor from the Whigs, whose interests she had now abandoned. Charles shared her apprehensions; it was resolved to secure to her an annuity out of the income granted by parliament to the duke of York; and James unexpectedly received an invitation to meet the king at Newmarket, for the purpose of making the necessary arrange-

1682.
Feb. 28.

me, as those who are acquainted with the laws of this country know very well, and (he) has but to thank himself for what has happened to him. And to show you what wrong is done me, if I had not hindered his being fallen on in parliament, they had brought him there in as ill a condition as to his fortune as he is now." In Burnet, ii. 318, note.

⁵⁸ " Besides that in conscience I cannot do what you so press me to, it would not be of that use or advantage to his majesty as some think. For the Shaftsburian and republican party would say it was only a trick, that I had a dispensation, and that I was still a catholic in my heart; and say there was more reason to be affeared of popery than ever." Ibid. 304, note.

ments⁵⁹. In the correspondence which followed, a private assurance was given that he should be allowed to fix his residence in England; at Newmarket, where he visited his brother, it was repeated in defiance of the opposition of Halifax, and of Seymour who now supported Halifax. Elate with this success he again sailed for Edinburgh, but on the sand called the Lemon-and-ore the Gloucester frigate, which carried him, was wrecked with the loss of two hundred men. The prince himself escaped, reached his destination, and, bringing back his family, settled once more in the palace of St. James's⁶⁰.

By the Tories the return of the duke was hailed as a proof of their victory. The lord mayor and aldermen waited on him to express their joy, and addresses with thousands of signatures were presented in abhorrence of lord Shaftesbury's project of association. Charles, however, saw that to complete his triumph it was necessary to procure sheriffs of more courtly principles than Pilkington and Shute. In former times it had been usual for the lord mayor, at the bridge-house feast, to drink and send the cup to a citizen, who on midsummer-day was approved of course as one of the new sheriffs, while the

CHAP. VII.
A. D. 1682.

March 12.

May 6.

May 25.

Election of
lord mayor
and sheriffs.

⁵⁹ The duchess solicited from Charles the sum of 100,000*l.* to be invested in some foreign security. The king had not the money, but he persuaded himself that James might grant her an annuity of 5,000*l.* for fifty years out of the income of the post-office, and that she might sell it for the sum required. The duke was aware that the grant demanded of him could not be legally made without an act of parliament, but concealed this knowledge that he might have a pretence for coming to England. Of course the scheme failed: but the lady, having heard of the French pension, prevailed on Charles to give her 10,000*l.* out of each quarterly payment, till the aggregate should amount to 100,000*l.* At the king's death

only one payment remained due. James (*Memoirs*), i. 729, 730. Macpherson, i. 133.

⁶⁰ The manner in which Burnet has related the duke's escape, shows how eager he was to retail any story to the prejudice of that prince. The truth may easily be learnt from the official letter of captain Berry (*Clar. Corresp.* i. 72), the letter of sir James Dick, provost of Edinburgh (*Ellis, Original Letters*, second series, iv. 67; *Dalrymple*, ii. App. 68), and that of lord Dartmouth, whose father accompanied the duke in the boat. Burnet, ii. 401, note. James gave eleven months' pay to the widow of every seaman who perished, and a sum of money to each child of such seaman. *Loyal Protestant*, No. 189, 193.

CHAP. VII.
A. D. 1682.

livery selected the other of their own free choice without the interference of the chief magistrate. The real origin of this custom was unknown, some considering it as a compromise of their respective claims on the part of the lord mayor and the livery, others as a mere compliment to the chief magistrate from the livery, who still retained the power of admitting or rejecting his nomination. From the commencement of the late rebellion the practice had been laid aside, and both sheriffs had been annually elected by the common-hall. Now, however, at the recommendation of the king, sir John Moore drank and sent the cup to a brother of the chief justice, Dudley North, who had previously consented to accept the office : but the opposite party, alarmed at the nomination, resolved to dispute the claim of the lord mayor. On the morning of midsummer-day the hall was crowded with the retainers of the two factions : their clamour and violence terrified the mayor : North, the chief justice, and sergeant Jeffries were privately in attendance to aid him with their advice ; and lord Grey, with the members of the green ribbon club, directed the proceedings of his opponents. The show of hands was against the nominee of the chief magistrate, who after a long debate adjourned the hall to another day : but Pilkington and Shute declared the proceeding irregular, continued the poll for some hours, and then adjourned the court. Thus a new question arose. On the one part it was contended that the lord mayor, as he called and dissolved, had also the right of adjourning the common-hall ; and that the sheriffs had no authority to preside in any civic court, because, though chosen by the city, they were in effect officers of the crown. On the other, that the lord mayor merely held the office of chairman, that the livery were the judges, and that the hall could not be adjourned without their consent. The dispute

engrossed the public attention for several months. Breaches of the peace were committed and prosecutions instituted; the poll was renewed; opposite polls were opened, one by the mayor and the other by the sheriffs; and in conclusion the first declared North and Rich, the second Papillon and Dubois duly elected. All four demanded to be sworn; but the oaths were administered only to North and Rich, and the same afternoon the old sheriffs surrendered to them the custody of the gaols and prisons⁶¹. This victory was accompanied by another. At the election of the lord mayor, Gould the opposition candidate appeared to have a majority of fifty votes; but a scrutiny turned the balance in favour of Pritchard, his competitor⁶², and the court obtained a complete ascendancy in the city, where the king had both mayor and sheriffs at his devotion.

1. Under these circumstances Sunderland, who had already learned to condemn, hastened to repair, his error. He sought a reconciliation with the duke of York, who consented to join with the duchess of Portsmouth in soliciting the king in his favour. It was not that James at this period entertained any esteem for the versatile statesman, who had so ungratefully abandoned his interests; but he feared to hazard his own influence in a contest with the duchess, who, as she had brought Sunderland into disgrace, made it a point of honour to restore him to favour. The easy monarch, happy to gratify his mistress without displeasing his brother, accepted the earl's protestations

CHAP. VII.
A. D. 1682.

Sept. 19.

Sept. 28.

Sunderland
reconciled
to the duke.

Sept. 20.

⁶¹ Compare North, 595—624, with the extract from Narcissus Luttrell in *State Trials*, ix. 211—219. That much irregularity occurred in these proceedings cannot be doubted: but the presumption is, that the election of the court candidates was legal, because, after the revolution, when men were

eager in pursuit of vengeance, and the question was brought by petition before parliament, each house, after a separate examination of Moore and North, deemed it advisable to drop the inquiry.

⁶² Ralph, 697.

CHAP. VII. of repentance, admitted him into the council, and soon afterwards restored him to his former office of secretary of state ⁶³.
 A. D. 1682.

Jan. 28.
 Monmouth
 held to bail.

2. Another nobleman, of still greater importance to the party, began to waiver. Monmouth remarked the rapid decline of the Whig interest; unwelcome anticipations were awakened in his mind; and he gave a tardy assent that his wife should offer his dutiful services to the king, as an opening to a reconciliation with both Charles and James. But the bitter reproaches of Shaftesbury, lord Russell, and his other friends made him ashamed of this weakness; he recalled his word, and, under the pretence of visiting the earl of Macclesfield, began a progress into the north with the view of reviving the affection, and of adding to the number, of his partisans. He travelled with one hundred attendants on horseback, divided into two bodies, of which one preceded, the other followed the duke. In the open space between them, Monmouth rode alone on a spirited charger, acknowledging with bows and smiles the courtesy of the spectators. In some places the higher classes deemed it prudent or loyal to shun his approach; but wherever the Whig interest prevailed, the gentlemen met him at the head of their respective tenants, and the populace were taught to welcome him with the ringing of bells, discharges of musketry, and shouts of "a Monmouth, a Monmouth and no York." He was careful to appear at the principal fairs, races, and public sports; at Liverpool he assumed the royal office of touching for the evil; and wherever he dined in public, covers were laid for two hundred guests, and the people, conducted by proper officers, passed in a constant stream through the apartment, that all might gratify their curiosity with a sight of

⁶³ James (*Memoirs*), i. 735, 736.

their favourite. But the jealousy of the king narrowly watched his progress ; daily reports were forwarded to the council ; some partial disturbances in Cheshire added to the alarm ; and a warrant was issued for his apprehension on the charge of “ passing through the kingdom with multitudes of riotous people to the disturbance of the peace and the terror of the king’s subjects.” He was walking in the streets of Stafford at the time he was taken into custody. Had Shaftesbury been at his ear, he would probably have returned into Cheshire, and have called on his friends to protect the king’s son from the malice of his enemies ; but he surrendered to the serjeant-at-arms, was conducted to the capital, and admitted to bail, himself in the sum of 10,000*l.* and his five sureties in the sum of 2,000*l.* each ⁶⁴.

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A. D. 1682.

3. From Monmouth we may proceed to Shaftesbury, whose conduct, ever since his discharge, had been to the popular leaders a subject of increasing solicitude. His temper was soured ; his judgment seemed to be impaired. The growing popularity of the king, and the rapid diffusion of the doctrine of non-resistance filled his mind with terrors, and led him to the approval of projects the most fanciful and dangerous. Under the conviction that he was marked out to be made the first victim to the ascendancy of the court, he looked on nothing as impracticable, which offered a chance of shielding him from the royal vengeance ; and with this view he was constantly employed in forming plans of insurrection with his subordinate agents, men of desperate fortunes, and equally desperate councils. They

Flight and
death of
Shaftesbury.

⁶⁴ James (Memoirs), i. 737. Macpherson, Somers’ Tracts, viii. 404. Dalrymple, Mem. 136. Bulstrode, 319. Lord Grey’s Confession, 18. West’s examination in Sprat, 33. i. 73.

CHAP. VII. were Walcot, formerly an officer in the Irish army under
 A. D. 1682. Cromwell, and afterwards engaged in several conspiracies ;
 Rumsey, a military adventurer, who had distinguished himself
 in the war in Portugal ; Ferguson, an independent minister from
 Scotland, animated with the most bitter hatred of the royal
 brothers ; and West, a practitioner in the law, and a diligent
 collector and distributor of reports in the coffee-houses. These,
 having formed connexions with men of similar habits and prin-
 ciples, persuaded him that they could raise the city at his nod ;
 but the other leaders entertained a more correct notion of his
 resources, and apprehensive that a premature rising might
 plunge the whole party into destruction, shunned his company,
 and objected to his proposals. The renewal of the contest for
 the appointment of the sheriffs, the perseverance, and finally the
 victory, of the king multiplied his alarms. He saw that his life
 would be in jeopardy the moment that the nomination of jurors
 fell into the hands of officers devoted to the crown. Once he
 thought of seeking a reconciliation with the duke of York :
 but the overture was made in language so ambiguous that
 James returned this cautious answer, “ though lord Shaftesbury
 has been the most bitter of my enemies, all his offences will be
 forgotten, whenever he becomes a dutiful subject to his
 majesty.” The earl did not pursue the attempt. Leaving his
 own house, he concealed himself in different parts of the city,
 and by repeated messages urged the duke of Monmouth, the
 earl of Essex, and their friends to rise in arms. But disappoint-
 ment followed disappointment : his fears of discovery increased ;
 Oct. 19. and embarking at Wapping he sailed in the company of Walcot
 and Ferguson to the coast of Holland. Amsterdam received
 Dec. the fugitive ; where he was afterwards visited by Oates and

Waller ; but anxiety and vexation had impaired his health ; the gout fixed itself in his stomach, and he expired about three months after his departure from England ⁶⁵.

CHAP. VII.
A. D. 1683.

Jan. 21.

Prosecutions.

4. Under the Whig sheriffs the Whigs triumphed in the courts of justice. Their adherents were invariably acquitted ; and the only chance of safety for their opponents lay in the change of the venue to an indifferent county, the grant of which by the judges was constantly followed by the abandonment of the action on the part of the prosecutor. But now the Tories were lords of the ascendant, and the Whigs in their turn learned to quail before the juries summoned by Tory sheriffs. Pilkington had scarcely laid down his office when an action of *scandalum magnatum* was brought against him by the duke of York, for having said, on occasion of a dinner given to that prince by the artillery company, "The duke has burnt the city, and has now come to cut our throats." The cause was tried before a special jury of the county of Hertford, who awarded damages to the amount of 100,000*l*. That the libel was most atrocious, will be granted ; but the punishment was severe beyond reason, and equivalent to imprisonment for life at the pleasure of the prosecutor ⁶⁶. In like manner sir Patience Ward was convicted of perjury, and the late sheriffs, Pilkington and Shute, Bethel and Cornish, with Ford, lord Grey, and several others, of a riot and assault on the lord mayor at the last election ⁶⁷.

1682.
Nov. 24.

But that which excited the most intense interest was the argument on the *quo warranto* against the city of London, before sir Edmund Sanders, the chief, and the other judges of the King's

Judgment
against the
city.

⁶⁵ James (Memoirs), i. 734. Burnet, ii. 339, 340. Lord Howard's information, Sprat, 67—76. Lord Grey's Confession, 15, 40. D'Avaux (i. 126, 139), who fixes his death on the 24th of January. Rawleigh

Redivivus, 123—125.

⁶⁶ See the extract from Narcissus Luttrell, State Trials, viii. 823—825.

⁶⁷ State Trials, ix. 187—351.

CHAP. VII. Bench. Sawyer, the attorney-general, rested his case on two facts: that the city had imposed an arbitrary tax on merchandize brought to public market, and had circulated a printed petition charging the king "with having interrupted by the prorogation of parliament the making of provisions necessary for the preservation of himself and his protestant subjects." The first of these, he contended, was contrary to law, the second a libel on the sovereign; whence it followed that, since the city had abused its franchises, it had forfeited them into the hands of the authority from which they originally emanated. His opponents argued, that the rates were reasonable, and as such authorized by custom and different charters; that the publication of the petition, a thing lawful in itself, had been ordered, not to raise a clamour against the king, but to appease the agitated minds of the citizens; and that if, in either of these acts, any offence had been committed, it should be visited on the offenders themselves, and not on the innocent body of freemen, amounting to fifty thousand individuals.

After a long delay, in the hope that the city would avert the infliction of punishment by an offer of submission, the attorney-general demanded, and the court pronounced, judgment, "that the franchise and liberty of the city of London should be taken and seized into the king's hands"⁶⁸. To leave, however, an opening for repentance, no entry was made; and the common council presented a petition to the king, expressive of their deep sorrow and contrition for the acts which had drawn upon

⁶⁸ Ibid. 1263; and extract from Luttrell's MS. If we may believe Hawles, Kennet, and their followers, the judgment was given by two judges only, one of whom had heard but half of the argument. But the fact is the contrary. Sanders, indeed, was not in court—he was confined to his bed by a

stroke of apoplexy—but he had previously given his opinion, and his three brethren, Jones, Raymond, and Withens, in delivering judgment, asserted that the same was to their knowledge the opinion of the chief justice. See State Trials; and Luttrell, *supra*.

the city the royal displeasure, and begging his majesty to grant them his pardon, and extend to them his compassion. The answer returned by North, who, on the death of the lord chancellor, had been appointed lord keeper, openly acknowledged the real grounds of the proceeding. The king, he said, had patiently borne the seditious meetings in the coffee-houses, the publication of libels, the riots in the streets, and the insults offered to the courts of justice. He never thought of questioning their charter till the government both of church and state was brought into danger by a factious party, who, to secure their own impunity, had by violence usurped the election of the magistrates. It was to put an end to these evils, and not to punish the city, that he had proceeded by a *quo warranto* : and even now that judgment had been pronounced, he sought not to deprive it of its former franchises, but merely, as a measure of prevention, to obtain a veto on the appointment of the lord mayor, sheriffs, recorder, common sergeant, town-clerk, coroner of London, and steward of Southwark. Let them arrange this with the law officers of the crown, and all their liberties should be again confirmed. The common council assented to the condition : but difficulties occurred, delays were created, and at last the judgment was entered. The king immediately empowered the late lord mayor to continue in office, appointed a new court of aldermen, from which eight of the former aldermen were excluded, and granted commissions to the sheriffs and other officers of the defunct corporation to execute their respective duties in the usual manner. The consequence was that the income of the city, its form of government, and the administration of justice were preserved : the change which took place, affected not the duties of office, but the choice and character of the magistrates : hitherto they had generally been

CHAP. VII.
A. D. 1683.

June 20.

Oct. 4.

CHAP. VII. the opponents, now they were selected from the advocates, of
A. D. 1683. the court ⁶⁹.

The Rye-
house plot.

5. At the same time occurred a most important discovery which gave to the king the undisputed superiority over his opponents during the remainder of his reign. The sudden flight and subsequent death of lord Shaftesbury had made little alteration in the councils of his friends or dependents. Walcot and Ferguson returned to London: the agitation caused by the discussion of the *quo warranto* reanimated their hopes; frequent consultations were held, and measures were proposed by the more violent, not only for an insurrection in the city, but also for the assassination of the royal brothers at Whitehall, or in the theatre, or at a farm belonging to one of the conspirators, called the Rye-house and situate in a lonely spot near Hoddesdon, on the road by which the king usually returned from Newmarket to London. By means of lord Howard of Escrick an indirect communication had all along been maintained between these men, and the more discontented among the Whig leaders, the duke of Monmouth, the earl of Essex, the lord Grey, lord William Russell, Algernon Sidney, and Mr. Hampden, who, though they refused to hear any mention of assassination, were willing to employ the services of those among whom it was proposed. To these, the higher class of conspirators, a simultaneous rising in the city, in several counties, and in Scotland, appeared the most likely plan to gain the superiority, and extort the royal assent to their proposals; and for this purpose they renewed the negociation with the exiled earl of Argyle, which had been begun by the earl of Shaftesbury. Of Shaftesbury Argyle had demanded 30,000*l.* towards the attempt; he now reduced his demand to

⁶⁹ State Trials, 1273—1283. North, 633. Echard, 1036.

8,000*l.* on the receipt of which he would send arms and ammunition from Holland, and proceeding to Scotland, place himself at the head of his friends. There is reason to believe that the proposal was accepted: the intelligence received by the government stated that the lords Grey and Russell undertook to raise the money; and, if credit can be given to Grey, a considerable portion of it was actually furnished by the latter.

It chanced, however, that on the 1st of June a Scotsman was arrested at Newcastle, the bearer of an enigmatical letter, calculated to awaken suspicion; and that on the 12th, the day on which judgment was pronounced against the city, Josiah Keeling, one of the inferior conspirators, offered to reveal the plans and proceedings of his associates to Legge, lately created lord Dartmouth, and a member of the privy council. Hints of the discovery of a plot were immediately whispered through the city: the guilty, disappointed of the means of escape by the river, absconded; and a proclamation appeared offering a reward of 100*l.* for the apprehension of each out of nine persons therein mentioned, who all belonged to the class of inferior conspirators. The same day West, and the next Rumsey surrendered; but the king refused them a pardon, because he would not, as had been done in the investigation of the popish plot, purchase the testimony of informers. It made, however, but little difference. The very uncertainty as to their fate, in which the prisoners were left, prompted them to deserve mercy by the importance of their disclosures; and Rumsey gave in successively five, West not fewer than fourteen informations. Shepherd came next: he betrayed the meeting of the Whig leaders at his house; Russell, Sydney, and Wildman were arrested and committed to the Tower; and a second proclamation was published with the offer of a reward of 500*l.* for the appre-

CHAP. VII.
A. D. 1683.

Arrests.
June 1.
June 12.

June 18.

June 23.
June 24.

June 25.
June 26
June 28.

CHAP. VII. hension of the duke of Monmouth, or Ford lord Grey, or sir
 A. D. 1683. Thomas Armstrong, or Robert Ferguson. All four had the
 July 8. good fortune to escape ; but lord Howard of Escrick, and the
 July 10. earl of Essex, were taken and confined in the Tower ⁷⁰.

Trial of lord
 William
 Russell.

These proclamations and arrests furnished a new stimulus to the loyalty of the Tories, who hastened with addresses of congratulation to the foot of the throne. At the same time the crown lawyers proceeded with unwonted celerity. In a few days Hone, Walcot, and Rouse, three of the minor conspirators, were tried, and convicted on the evidence of their associates : nor did they so much deny their guilt, as complain of their hard fortune in being betrayed by the very men, who had drawn them into the commission of the offence. The trial of lord William Russell excited more general interest, as it promised a solution of the important question, whether the Whig leaders were implicated or not in the plans of the minor conspirators. The witnesses against him were Rumsey, Shepherd, and lord Howard. Rumsey deposed that the prisoner had attended a consultation at the house of Shepherd, of which the object was to determine the possibility of surprising the king's guards at the Savoy and the Mews ; and Shepherd, that lord Russell was certainly present at a meeting in his house of the persons named by Rumsey. When lord Howard was called, a rumour ran through the court, that lord Essex had that very morning committed suicide in the Tower ⁷¹. By the judges, the jury,

⁷⁰ See Lord Grey's Confession, and the numerous depositions in Sprat's history of the Rye-house plot.

⁷¹ Lord Essex was of a melancholy temperament, and disposed in company to defend the practice of self-murder. On his apprehension he laboured under such confusion of mind before the council that he knew not how to express himself. His countess suc-

ceeded in calming his spirits ; but when he saw from the window of his cell lord Russell led to trial, he relapsed into the same state of depression, and bolted the door of his closet ; in which he was soon afterwards found with his head nearly separated from the body. It was supposed that he had been driven to this desperate act by self-reproach, by the consciousness that to him was owing the danger in which lord

the spectators, the fact was taken as a proof of the guilt of that unfortunate nobleman : and with such impression on the mind it was difficult not to form the same conclusion as to his intimate friend and associate, the prisoner at the bar. As soon as the shock had subsided, Howard gave his evidence in an artful narrative, which, while it detailed at length the plans and proceedings of Shaftesbury and his immediate accomplices, touched but sparingly and tenderly on the conduct of lord William Russell. That the disclosure was wrung from him by the hope, perhaps the secret promise, of pardon, cannot be doubted ; that he deserved all the obloquy which it has entailed on his character, may likewise be true ; but there exists no pretence for charging him with false testimony. It is plain that he was a reluctant witness ; that he knew more than he was willing to disclose ; that he sought not to establish, but rather to extenuate the offence of the accused. The only point in his evidence which could affect lord Russell, was that he had twice assembled with Monmouth, Essex, Grey, Howard, Sydney, and Hampden, the first time to consult on the most proper place for the commencement of an insurrection, and the second on the propriety of sending an agent to form a party in Scotland, a measure which was accordingly adopted. Lord Russell made but a feeble defence. He acknowledged that he was present at the meeting at Shepherd's : but it was by mere accident ; he stepped in for the purpose of tasting some wine ; and heard no mention of any

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A. D. 1683.

Russell then stood : for the latter had always refused to have any communication with lord Howard, till he was unknowingly led into the company of that nobleman by lord Essex. See Burnet's journal, in App. to the Life of William Lord Russell, ii. 262. I shall not

detain the reader with the story of the murder of lord Essex by the king and the duke of York, a story so utterly improbable that it could never have obtained circulation had it not been for the violence of party.

CHAP. VII. design of surprising the guards. He was also present at the
 A. D. 1683. meetings described by lord Howard : but recollected no other subject of conversation than the public news of the day. He denied that credit was due to the witnesses against him, because they laboured to save their own lives by bringing his into danger : and he proved that lord Howard had on some occasions denied the existence of any plot, and on another had asserted the innocence of lord William Russell upon oath. At the request of the jury lord Howard was re-examined. He replied that he had done nothing, which any other man in his situation would not have done. As long as he was at liberty, it was plainly his interest to ridicule the plot as a forgery ; and when the design of assassinating the king was mentioned in his presence, he hesitated not to assert with an oath, what he could assert with truth, that lord Russell was innocent of any such offence.

He is found
 guilty.

The chief argument alleged by the prisoner was drawn from the statute of the 25th of Edward III. That statute pronounced the act of levying of war, not the intention of levying war, to be treason. By confining the guilt of treason to the act, it removed it from the intention. Now supposing all the evidence against him to be true, it might prove his intention ; but not one of the witnesses asserted that he had proceeded to any open act. The same reply was made which would be made to the same arguments at the present day : that it was the doctrine of the courts of law, that actually to levy war against the king amounts in all cases to the guilt of treason ; and that to conspire to levy war is also treason, when the object of such conspiracy is to destroy, or depose, or restrain and control the king ; and that, whether such was or was not the object of the consultations at

which lord Russell attended, was a question for the determination of the jury. The jury returned a verdict of guilty ⁷². CHAP. VII.
A. D. 1683.

If we may credit report, a strong appeal was made to the indigence of Charles in favour of the unfortunate prisoner. The duchess of Portsmouth received a hint that a large sum, 50,000*l.*, perhaps 100,000*l.*, would be given in return for a pardon. But the king treated the proposal as an insult. "I will not," he hastily replied, "sell my own and my subjects' blood at so cheap a rate" ⁷³. Lord Russell himself was drawn, by the earnest entreaties of his wife, to petition the king, and to solicit the intercession of the duke of York. To the former he most solemnly maintained that he never cherished a thought against his life or against the government. At the same time he confessed with humility and sorrow, that he had been present through ignorance and inadvertence at meetings which were unlawful in themselves, and provoking to his sovereign; and he therefore declared himself ready to spend the remainder of his days wherever the king might appoint, and promised never more to interfere in political matters without his majesty's command ⁷. Lord Russell indulged no hope of success from this petition. It could not be expected that Charles should extend to one whom he thought guilty of treason that mercy, which the same

Petitions for
his life.

⁷² State Trials, 578—636. Burnet, ii. 365—369. After the revolution the sheriffs, the secondaries and their clerk, and the ten surviving jurors, were examined before a committee of the house of lords: but the result of their answers is that the jury were fairly selected, and that no attempt was made to influence their verdict. Lords' Journals, xiv. 381, 382, 383, 389, 392. His attainder was, however, reversed on account of "undue and illegal return of jurors, he having been refused his lawful challenge to the said jurors for want of freehold, and of partial and unjust constructions of law," Stat. 1 William

and Mary.

⁷³ Luttrell, in State Trials, 1010. Burnet, ii. 369. This story receives some confirmation from a passage in the earl of Bedford's petition: that he never had the presumption to think that the royal mercy could be obtained by indirect means: but should think himself his wife and children much happier to be left with but bread and water than to lose his dear son for so foul a crime against the best of princes. See it in Life of William Lord Russell, ii. 78.

⁷⁴ Ibid.

CHAP. VII. individual and his associates had by intimidation prevented him
 A. D. 1683. from extending to so many victims whom he believed to be
 July 16. innocent. It cost the unfortunate prisoner still more to solicit
 the favour of the duke of York, whom for several years he had
 pursued with the most bitter and unrelenting hostility. It was
 to the influence of lord Russell's authority, as much as to the
 contrivance of Shaftesbury, that the duke owed his banishment
 from the council and the country : lord Russell had moved and
 supported in successive parliaments the bill of exclusion, and it
 was in reality to deprive him of the succession, and perhaps of
 life, that he had engaged in those intrigues for which he had
 been condemned. In his letter to that prince he made no
 attempt to disguise the part which he had taken, but declared
 that his conduct did not arise from any personal animosity, or
 evil design ; he had acted with sincerity, and under the
 persuasion that the bill of exclusion was the most eligible
 way of preserving the religion established by law : now, however,
 he was ready to engage, " never any more to meddle in the
 least opposition to his royal highness ; " and he promised that
 the interference of the duke on his behalf, as it was a favour
 beyond what he could expect, should make on him the deepest
 impression, and lay him under the most lasting obligation ⁷⁵.
 Both princes were inexorable. James, indeed, consented to
 hear what his friends could urge in his favour : but Charles
 listened to their prayers with impatience ; and when lord Dart-
 mouth represented to him the influence of the Russell family,
 whom it was better policy to conciliate than offend, and his
 personal obligations to the earl of Southampton, whose daughter
 lord Russell had married, he briefly replied : " all that is true :

⁷⁵ Ibid. 79—81. Burnet's Journal, 262.

but it is as true, that if I do not take his life, he will soon have mine." It was, indeed, thought that Charles might have relented, if lord Russell could have been induced to admit the doctrine of passive obedience: but the arguments and entreaties of Burnet and of Tillotson were equally fruitless; he persisted in his former opinion of the lawfulness of resistance to the encroachments of authority; and, as he was known to hold that the existing circumstances called for such resistance, Charles might thence infer that the pardon of the prisoner was irreconcilable with the safety of his own person⁷⁶. But though he refused his life, he gave him to understand that no advantage should be taken of his forfeiture to the prejudice of his wife or children⁷⁷.

CHAP. VII.
A. D. 1683.

⁷⁶ Burnet, Hist. ii. 370, note.

⁷⁷ Burnet's Journal, 274. Lord Russell's Life, 129. It appears from the life of Tillotson by Birch, that on the 16th Burnet argued with lord Russell respecting the question, whether the people "might defend their religion and liberties, when invaded and taken from them, though under pretence and colour of law." Burnet believed that he had convinced him of the unlawfulness of resistance, and communicated the fact to Tillotson, Tillotson to lord Halifax, and Halifax to the king. On Charles it made a deeper impression than any thing which had been said in lord Russell's favour before. When, however, Tillotson visited the prisoner on Thursday, he found him fixed in his former opinion, and the utmost that he could extract from him was the assertion that, if he had done wrong in this persuasion, he had sinned through ignorance. The dean administered the sacrament to him the next morning, but afterwards appears to have been induced by his own scruples to write to him a letter, which he delivered in person. "My end," he said, "is to convince your lordship that you are in a very great and dangerous mistake; and, being so convinced, that which before was a sin of ignorance, will appear of a much more heinous nature, *as in truth it is*,

and call for a very particular and deep repentance. . . . I am loth to give your lordship any disquiet in the distress you are in . . . but am much more concerned that you do not leave the world in a delusion and false peace, to the hindrance of your eternal happiness." His arguments against lord Russell's opinion are, 1. The Christian religion doth plainly forbid the resistance of authority. 2. The law which has established the protestant religion, hath declared that it is not lawful on any pretence whatsoever to take up arms, &c. 3. The opposite opinion is contrary to the declared doctrine of all protestant churches. Lord Russell, taking the letter, retired to another apartment, and returning after some time, said that he was not convinced, but that, as he was willing to be so, he hoped God would forgive him if he were in error. It is worthy of remark that Burnet makes no mention of his conference with lord Russell on this subject in his journal, though he pronounces that journal "a punctual and true relation of all that he could remember between the noble prisoner and himself." (Journal, 279.) After the revolution he alludes to it in his history: but at that time passive obedience was no longer in favour; and therefore, instead of owning that he and Tillotson endeavoured to impress that doc-

CHAP. VII.
A. D. 1683.

His execu-
tion.

July 20.

July 21.

Lord Russell met his fate with resignation and fortitude. It was not that he felt no pang at the thought of being separated from all that he valued in life—for in discourse of his wife a tear would occasionally steal into his eye and betray the emotion which he strove to conceal—but he sought and found consolation in the assurance of the divine mercy, and in the persuasion that his conduct had been justified by the principles which he conscientiously approved. He sometimes mentioned lord Howard, but with scorn, pronouncing himself, even with sentence of death suspended over his head, more happy than the man who, to purchase life, had descended to the disgrace of betraying his associates. In conversation he was calm, and frequently chearful; of lady Russell, her noble qualities, and her exertions for his life, he spoke in terms of tenderness and gratitude; and, when he had parted for the last time from that admirable woman, who had the fortitude to control her own feelings that she might not add to the poignancy of his, turning to Burnet, he exclaimed, “now the bitterness of death is passed.” The next morning, attended by Tillotson and Burnet, he was conveyed in his own carriage to Lincoln’s Inn-fields, the place appointed for the execution. The crowd was immense, and a strong military force had been called out in aid of the civil authorities. Lord Russell said little on the scaffold, but delivered a written speech to the sheriffs. He exhibited no symptom of perturbation, and after the example of lord Stafford, refused to give any sign to the executioner, who, having deliberately taken his aim, at two strokes severed the head from the body ⁷⁸.

trine on the mind of lord Russell, he only represents them as maintaining that “the party had gone too quick in their consultations, and that resistance, in the condition in

which they were then, was not lawful.” Burnet, ii. 372.

⁷⁸ State Trials, 683, 1010.

By the industry of lady Russell her husband's written speech was already printed, and circulated through the capital. It was the result of much consideration, and had been submitted to the inspection of Burnet. In it lord Russell stated that he died a protestant, and in the communion of the church of England, "though he could never rise up to all the heights of many people:" that in the prosecution of the popish plot he had acted on the conviction of its reality, which conviction he still retained, and that he knew nothing of any practices to suborn and instruct the witnesses: that he had taken an active part in favour of the bill of exclusion, because he thought that measure necessary, to free the nation from the pollution of popery, and to secure the king's life from the danger to which it was exposed through the expectation of a popish successor; that, in the meeting at Mr. Shepherd's, there was some discourse of surprising the guards, but without any engagement to make the attempt, and that many things were said with more heat than judgment, which, though he disapproved in his mind, he did not sufficiently discountenance in words; and that this was not an actual levying of war against the king, which alone is declared treason by the statute of Edward III. whence it followed that he was innocent of the crime for which he stood condemned. He concluded in the following words, "and now, to sum all up, as I had not any design against the king's life, or the life of any man whatsoever, so I never was in any contrivance of altering the government. What the heats, passions, and vanities of other men have occasioned, I ought not to be responsible for, nor could I help them, though now I suffer for them. But the will of the Lord be done, into whose hands I commend my spirit"⁷⁹."

CHAP. VII.
A. D. 1685.

Publication
of his speech.

⁷⁹ State Trials, 685.

CHAP. VII.
A. D. 1683.

This paper was calculated to create a strong persuasion of his innocence; but on a close examination it will be found to savour more of the cunning of Burnet, than of the ingenuity of lord Russell⁸⁰. From the crimes, which it denies, posterity has long ago absolved the unfortunate victim. He was too honourable a man to dip his hands in the blood of the king, or to seek the life of any other individual unless by course of law: and his predilections in favour of monarchy forbad him to aim at the subversion of that constitution under which his family enjoyed such rank and influence. But there were other charges against him. Was he not a party to the design of compelling the king by force to banish and disinherit the presumptive heir to the crown. Had he not attended meetings of which this was the only real object? Did he not concur in the design of raising an insurrection in Scotland to co-operate with another in England for the same purpose? On these questions, which hardly admit of doubt⁸¹, he is studiously silent; probably because he could neither deny them with any regard to truth, nor admit them without danger to his associates. That he justified such attempts to his own conscience cannot be questioned: they were consonant to the principles which he maintained, and which in a few years led to the revolution of 1688. But when he embarked in them, he must have been aware that he staked his life on the result. Never was any government, however liberal, known to admit in practice that insurrection against itself ought to be suffered with impunity.

⁸⁰ Both Charles and many others thought Burnet the author, who as well as Tillotson was examined on the subject, and dismissed. Lady Russell wrote to the king in favour of Burnet, stating that she had often heard her husband say all that was contained in the paper. After the revolution, however, Bur-

net acknowledged that the plan and order was his. See Burnet, iii. 372. Lady Russell's letter in *Life of Lord Russell*, ii. 124; and Burnet's journal, *ibid.* 266. Also Luttrell, *State Trials*, 1011.

⁸¹ See Burnet, ii. 344—347, 360, 362.

The 21st of July is a day memorable in our annals. On it perished lord William Russell, a martyr to the doctrine of the lawfulness of resistance, and on the same day the university of Oxford published its celebrated decree in support of passive obedience. "To the honour of the Holy and Undivided Trinity, the preservation of catholic truth in the church, and that the king's majesty might be secured both from the attempts of open bloody enemies, and the machinations of treacherous heretics and schismatics," that learned and orthodox body consigned to everlasting reprobation the following doctrines, that civil authority is originally derived from the people; that there exists any compact, tacit or express, between the prince and his subjects, from the obligation of which if one party resile, the other is of course discharged; and that, if the sovereign govern not, as by the law of God and man he is bound to govern, he forfeits the right which he previously had to the government. In addition they enjoined "that all and singular the readers, tutors, and catechists should diligently instruct and ground their scholars in that most necessary doctrine, which in a manner is the badge and character of the church of England, of submitting to every ordinance of man for the Lord's sake, teaching that this submission and obedience is to be clear, absolute, and without exception of any state or order of men⁸²." Five years did not

CHAP VII.
A. D. 1683.

The Oxford
decree.

⁸² To these propositions are added four-and-twenty others taken from the works of Buchanan, Bellarmine, Milton, Goodwin, Baxter, Owen, Knox, Hobbes, Goodman, Cartright, and others, asserting that the king has but a co-ordinate authority with the other two estates, and may be overruled by them, that it is lawful to exclude the next heir from the succession, that subjects may lawfully enter into leagues, covenants, and associations without the permission and against the prohibition of the sovereign, that

possession and power give right, that oaths are unlawful, that dominion is founded on grace, that kings are bound to submit to presbyterian government as the sceptre of Christ's kingdom, that wicked kings and tyrants ought to be put to death, that it is lawful for a private man, having a call from God, to kill a tyrant, and that Charles I., having made war on his parliament, ceased to be king, and might lawfully be put to death. The decree pronounced "all and every of these propositions false, seditious,

CHAP. VII. elapse before the framers of this decree were called upon to
 A. D. 1683. practise the doctrine which it taught. They felt its inconvenience : “ the badge and character of the church of England ” were thrown away ; and the university made a present of its plate to the invader, who sought to deprive the reigning sovereign of his crown.

Jeffreys chief justice.

June 16.

Sept. 28.

Previously to the succeeding trial, that of Algernon Sydney, a new chief justice was appointed, sir George Jeffreys of infamous memory. During the sickness of Sanders, his predecessor, he had been recommended by Sunderland to the king ; but Charles expressed a doubt whether his knowledge were equal to so elevated an office, and some reluctance to place a serjeant over the heads of the other judges⁸³. By what arguments the objections of the monarch were removed, is unknown : but three months after the death of Sanders, Jeffreys took his seat as chief on the bench. During his practice at the bar he had proved himself a shrewd and intelligent lawyer, able to discern at the first glance the real merits of a cause, and possessing a greater portion of legal learning than could have been expected from a man so habitually devoted to the pleasures of the table. But other qualities are supposed to have influenced the choice of the government. Jeffreys was servile to men in power ; he hated the Whigs who had deprived him of the recordership of London : his arrogance and violence would enable him to bear down all opposition in his court, and public opinion, the best and most effective check on the passions of those who administer the laws, was held by him in sovereign contempt.

and impious ; most of them heretical and blasphemous, infamous to christian religion, and destructive of all government in church and state,” and ordered the books containing

them to be burnt. Wilkins, con. iv. Somers’ Tracts, viii. 420—424. State Tracts, ii. 153.

⁸³ See Sunderland’s letter in Clar. Corresp. i. 82.

At the trial of Sydney the eyes of the spectators watched alternately the conduct of the judge and of the prisoner, who stood before them as the two champions of the opposite parties. On the one hand, the cool judgment, the undaunted spirit, and the eloquent defence of Sydney excited admiration: on the other Jeffreys showed that he was able to control the impetuosity of his temper, adopting a courtesy of language, and a tone of impartiality which no man would have anticipated from his previous character⁸⁴. The principal witness was lord Howard, who repeated his former testimony, and declared that Sydney was a member of the council of six; that he had attended one meeting at the house of Hampden, and another at that of lord Russell; and that he had undertaken to send Aaron Smith to Scotland, to confer with the discontented in reference to an insurrection in that kingdom, and to prevail on some of them to come to London under pretence of proceeding to Carolina. The prisoner contended with considerable force, that the evidence of Howard deserved no credit. He was a prisoner lying under the same charge; he sought to earn his own pardon by establishing the guilt of others; and he had solemnly asserted, occasionally with the sanction of an oath, as was proved by ten irreproachable witnesses, that the whole story of the conspiracy was a mere fiction. To this the crown lawyers replied that, if the testimony of accomplices were to be rejected, few conspiracies would ever be proved; that the denials of lord Howard were made when he was at large, and when it was his interest to create a disbelief of the plot; and that the earnestness with which he laboured to produce this

CHAP. VII.
A. D. 1683.

Trial of
Sydney.
Nov. 21.

⁸⁴ Sydney in his apology (State Trials, ix. 823.) complains that the chief justice would not allow his exceptions to the jurors. Yet

the pannel contains the names of eighty-nine persons (p. 824), of whom fifty-five were challenged, or absent, or excused.

CHAP. VII.
A. D. 1683.

effect, could have sprung from no other source than his own consciousness of guilt. The jury believed him, nor has time brought anything to light, which can throw discredit on his testimony. Though Russell, Sydney, and Hampden attempted to show that in some particulars it was improbable, not one of them, either at his trial or after judgment, ventured to pronounce it substantially false; and Hampden subsequently to the revolution boasted before the committee of the house of lords that, "the coming into England of king William was nothing else but the continuation of the council of six"⁸⁵.

To corroborate the testimony of lord Howard the attorney-general proved by several witnesses, that the persons mentioned by him actually arrived in London from Scotland, and gave out as the cause of their arrival the pretence suggested at the meeting. He then proceeded from parole to written evidence, exhibiting, "as another overt act of treason," a manuscript apparently in the hand-writing of the prisoner, calculated to excite the people to sedition. By Sydney it was argued, that the identity of hands ought not in criminal cases to be inferred from conjectural evidence; that the manuscript, a refutation of Filmer's work upon government, being composed many years ago, could have no relation to a conspiracy supposed to be set on foot in the preceding month of January; that a private writing was not an overt act within the meaning of the statute; and that to every overt act the testimony of two witnesses was required by law. His adversaries replied, that from the com-

⁸⁵ See his examination, L. Journ. xiv. 378. Burnet, indeed, in his journal, says, "Lord Russell, the night before his death, said to me in my lady's hearing that my lord Howard in several particulars had sworn falsely and done him wrong. But I did not reckon them up."

It is not probable that, if these particulars had affected the substance of the charge, so warm a partisan as Burnet would have omitted to insert them in his journal or his history.

parison of the manuscript with the admitted letters of Sydney neither court nor jury could entertain a doubt of the writer ; that though the body of the work had been written some years before, the corrections in it appeared from the colour of the ink to have been recently made ; that these corrections, combined with its position on Sydney's desk at the moment of his arrest, showed that he intended to make use of it at that very time ; that the crime laid to the charge of the prisoner was not actual insurrection, but a design to take away the king's life, of which design a seditious writing might be considered a sufficient proof ; and that it had already been decided in the case of lord Stafford that two witnesses were required, not to each act of treason, but only to the treasonable intention from which those acts proceeded.

The chief justice in his charge to the jury summed up the evidence in a tone of candour and moderation, not often heard in those ages from that bench. But when he came to expound the law, he laid down doctrines from which the common sense of mankind will instinctively revolt. Lord Howard, he said, had proved the traitorous design with which Sydney had sent for certain individuals from Scotland ; others had proved that these very individuals had arrived in town : here then were the two witnesses required by the statute : for all the judges had solemnly resolved before the king in council that, to comply with that statute nothing more was necessary than to prove by one witness an act of treason, and by another some circumstance contributing to the completion of that act. But, supposing this proof not sufficient, there was the manuscript found on Sydney's desk, a document equal in value to the testimony of two-and-twenty witnesses. It was indeed true that it remained still in the possession of the prisoner, that there was no evidence

CHAP. VII.
A. D. 1683.

Charge of the
chief justice.

CHAP. VII. of his intention to publish it, that it bore not any necessary rela-
 A. D. 1683. tion to the intended insurrection : yet in law *scribere* was *agere*,
 and the writing of a treasonable, though private, paper amounted
 to an overt act of treason. The other judges signified their
 concurrence in this opinion, and the jury, subdued by their
 authority, returned, after a deliberation of half an hour, a
 verdict of guilty ⁸⁶.

Condemna-
 tion of
 Sydney.
 Nov. 26.

When Sydney was brought up to receive judgment, he re-
 peated but in vain the arguments, which he had urged during the
 trial ; and the moment sentence was pronounced, burst into the
 following exclamation : “ Then, O God ! O God ! I beseech
 thee to sanctify my sufferings, and impute not my blood to the
 country or the city : let no inquisition be made for it : but if any,
 and the shedding of blood, that is innocent, must be revenged,
 let the weight of it fall only on those, that maliciously persecute
 me for righteousness’ sake.” This passionate apostrophe, which
 was probably prepared for the occasion, ruffled the composure
 of the chief justice, who rose and said, “ I pray God to work
 in you a temper fit to go unto the other world, for I see you are
 not fit for this.” “ My lord,” replied Sydney, stretching out
 his arm, “ feel my pulse, and see if I am disordered. I bless
 God, I never was in better temper than I am now ⁸⁷.”

Pardon of
 Monmouth.

The conviction of Sydney was followed by the pardon of
 Monmouth, a benefit for which that nobleman was indebted to
 the policy, rather than the friendship, of the marquess of Halifax,
 who, that he might strengthen himself against the ascendancy of
 the duke of York in the cabinet, sought to set up an opposite
 interest by reconciling Monmouth with the king. Having
 sounded the royal inclination, he communicated with Monmouth

Oct. 13.

⁸⁶ State Trials, ix. 818—895.

⁸⁷ Ibid. 896—903.

in his retreat, assured him of his father's affection, and prevailed on him to address to the monarch a penitent and supplicatory letter. In it the duke solicited pardon both of the king and his uncle, and, by confining his protestations of innocence to the charge of an intent to murder, tacitly acknowledged his participation in the design of exciting insurrection. He also promised that his future life should be spent in proving the sincerity of his repentance, and begged to be admitted to the presence of his father, "because," he added, "I have that to say to you, sir, that will for ever, I hope, settle you quiet in your kingdom, and the duke after you, whom I intend to serve to the uttermost of my power⁸⁸." Charles immediately relented; he met Monmouth in secret at the house of major Long in the city; receiving him, indeed, with an air of displeasure, but the displeasure of a parent who seeks the reformation of his child. He reproved the duke for following counsels which must lead to his ruin; spoke with severity of the character of his associates, and left him with some gracious expressions, but still in uncertainty as to the result. Another private interview and several messages followed. Charles assured him of pardon, but insisted that he should previously submit without reserve to the royal pleasure. It required all the address of Halifax to bend the reluctant mind of Monmouth to this condition. He represented it as necessary to conceal the intrigue from the duke of York; he promised that it should lead to nothing humiliating or dishonourable, and he dictated a second letter which Monmouth with some difficulty consented to transcribe⁸⁹. In this, after several

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A. D. 1683.

Oct. 11.

Oct. 25.

Nov. 4.

Nov. 9.

Nov. 15.

⁸⁸ See it in Sprat, 137.⁸⁹ Halifax also informed him that the queen had interceded in his favour with the duke and duchess, for which the king had

thanked her. Welwood, 321. This will furnish a reason why he solicited her intercession afterwards when he was a prisoner in the reign of James.

CHAP. VII. protestations of regret for his past offences, he was made to
 A. D. 1683. throw himself "at the feet of the king to be disposed of as he should direct for the remainder of his life," to beg that he might be spared the ignominy of a prison and a trial, and to request advice how he might best implore the forgiveness of the duke of York, "which he would do, not as an outward form, but with all the sincerity in the world"⁹⁰. With this letter in his hand Charles ventured to break the matter to his brother, who declared himself perfectly satisfied: and a note was sent to Monmouth stating that, "if he desired to render himself capable of mercy, he must place himself in the custody of the secretary, and resolve to disclose whatever he knew, resigning himself entirely to the royal pleasure"⁹¹. The duke obeyed; he was introduced to the two brothers: to his father he protested on his knees that he was innocent of any design against the royal life, but confessed and condemned the part which he had taken in the disloyal plans and practices of the conspirators; then turning to his uncle, he acknowledged himself guilty of many offences against him, solicited forgiveness, and promised that, if James should survive the king, he himself would be the first man to draw the sword in defence of his right whenever occasion might require. He subsequently confirmed the truth of lord Howard's testimony with the exception of one unimportant particular, named the chief persons on whom the conspirators depended in Cheshire, Yorkshire, and the west, and unfolded the designs of Argyle in Scotland⁹². Both Charles and James assured him of forgiveness and favour: the king presented him

⁹⁰ See it in Sprat, 189.

⁹¹ See it in Howell's State Trials, copied from the original in the king's hand in the State Paper office, xi. 1097.

⁹² See the extract in Sprat (136); another

from the Memoirs of James, in his Life (i. 742); the letter of that prince to the prince of Orange, Nov. 27, in Dalrymple (App. 53); and Reresby from the testimony of Halifax, 168, 175.

to the queen, the duke to the duchess ; and as soon as his confession had been entered in the council book, the proceedings for outlawry were withdrawn, and a full pardon was prepared. To add to the benefit, the king sent him a present of 6,000*l*⁹³.

The joy which Monmouth might have felt at this reconciliation was troubled by the reproaches of his own conscience. He had condescended to become an informer ; he had purchased his own safety by betraying his associates ; and his infamy had been announced to the world by the publication of his submission and confession in the Gazette. Till he received his pardon under the great seal, he was silent ; but then, conceiving himself free from danger, he began to throw out hints in conversation that he had revealed nothing to the king, which could be deemed confirmatory of the guilt of those who had been brought to trial. This falsehood excited the anger of his father, who, at the suggestion of Ormond, required from him a written contradiction of the report. He obeyed ; but his letter was deemed evasive, and Charles gave him another form, composed or at least written by himself. In it Monmouth was made to assert, “in consequence of reports that he had gone about to discredit the evidence in the late trials, that the king and the duke knew how ingenuously he had owned the conspiracy, and that, though he was not conscious of any design against his majesty’s life, yet he lamented the great share which he had in the other part of the conspiracy⁹⁴.” After many a pang, and at the earnest solicitation of lord Halifax, he copied this

CHAP. VII.
A. D. 1683.

Nov. 25.

Who recants
and is ban-
ished from
court.

Nov. 26.

Dec. 4.

Dec. 5.

⁹³ James, *ibid.* State Trials, ix. 1015. Secretary Jenkins to Bulstrode, in Bulstrode’s Memoirs, 352. And for the whole intrigue, Monmouth’s journal, in the appendix to Welwood, 319—322. That this journal is authentic, as far as it goes, I have no doubt. It bears its origin on its face, and agrees with

every other credible document. That it is considerably mutilated is acknowledged by Welwood himself, who was unwilling or afraid to publish passages which might be thought to reflect on certain characters.

⁹⁴ See it in Sprat, 141.

CHAP. VII. form, and presented it to the king: but the moment he com-
 A. D. 1683. municated its contents to his friends, he was overwhelmed with
 reproaches: lord Anglesey sent him written remarks on its
 dangerous tendency, and Hampden declared that he considered
 it as his death warrant. Agitated by shame and remorse,
 Dec. 6. Monmouth passionately demanded back the paper from his
 father, and Charles, to soothe his feelings, assured him that
 it should never be produced in any court of justice, and advised
 him to wait a few hours, and think seriously on the consequences
 of his conduct. In the morning he renewed his demand, and
 Dec. 7. the king, having exchanged it for the original, forbade him by
 the vice-chamberlain, ever more to come into the royal presence.
 He retired to his seat in the country, where the advice or
 entreaty of the duchess drew from him an offer to retrace his
 steps, and sign again a similar paper. But it was too late;
 Charles instantly rejected the proposal⁹⁵.

Death of
 Sydney.

A belief prevailed that this conduct of Monmouth hastened,
 perhaps occasioned the death of Sydney, who had petitioned
 for life, not in the supplicatory tone of a criminal conscious of
 guilt, but with the spirit and dignity of an injured man appealing
 to the justice of his sovereign. Charles was thought to waiver;
 nor did he suffer the fatal warrant to be issued, till it was appre-
 hended that, to spare the life of the prisoner, would be to
 countenance the false reports circulated by the partisans of
 Monmouth⁹⁶. On the same day on which the latter was

⁹⁵ See the king's own narrative of the whole proceeding in council (State Trials, ix. 1097—1099), the examinations of Hampden, sir James Forbes, and colonel Godfrey (L. Journal, xiv. 378, 380, 382); Bulstrode, 354; James, 743; Reresby, 171; Dalrymple, 54; Carte's Ormond, ii. 532. I have described this occurrence the more minutely, as

it tends to display the real characters both of Charles and Monmouth.

⁹⁶ "Sydney's life could not then have been spared, but that the mercy would have been interpreted to proceed from the satisfaction the duke of Monmouth had given the king that there was no real conspiracy." Ormond to the earl of Arran, Carte, ii. 533.

banished from the presence of his father, Sydney was led to the scaffold erected on Tower-hill. Never did man face the terrors of death with less parade or greater indifference. He suffered no friend to accompany him; he refused the aid of the ministers of religion; and, when he was asked, if he did not intend to address the spectators, he replied, that "he had made his peace with God, and had nothing to say to man." Having made himself ready, he placed his neck on the block, and bade the executioner perform his duty.

It was the persuasion of Sydney that civil liberty could flourish only under a republican government. After the death of Charles I. his birth and abilities raised him to the highest rank among the parliamentary leaders: but thence by the usurpation of Cromwell he was driven into retirement, where his promises of patient submission could not shield him from the jealousy and precautions of the protector. The re-establishment of the commonwealth called him once more into political life; and he was employed on a mission to the court of Copenhagen, when Charles II. took possession of the throne. Sydney was again prepared to submit to necessity: but his avowed hostility to the Stuarts had made him an object of more than ordinary aversion⁹⁷; and he preferred the evil of a voluntary exile to the disgrace of asking pardon of the sovereign. From Italy he watched the progress of events: the war of 1663 summoned him from his retreat; he tendered his services to the enemies of his

CHAP. VII.
A. D. 1683.

His character.

⁹⁷ "It is said," writes the earl of Leicester to his son Algernon, "that the University of Copenhagen brought their album to you, desiring you to write something therein, and that you did write in albo these words:—

Manus hæc inimica tyrannis,
and put your name to them." Sydney answers: "That which I am reported to

have written in the book at Copenhagen is true, and never having heard that any sort of men wear soe worthily the objects of enmity as thoes I mentioned, I did never in the least scrupule avowing myself to be an enemy unto them." Blencowe's Sydney Papers, 209, 216.

CHAP. VII. country, he offered to raise a rebellion in England, and he
 A. D. 1683. endeavoured to persuade Louis XIV. that it was for his interest to re-establish the commonwealth. Though Charles was well acquainted with his intrigues and hostility, he afterwards allowed him to visit his father, the earl of Leicester, during the last sickness of that nobleman, and ultimately granted him a pardon for his past offences, a favour which, if we may believe him, "he valued not at a lower rate than the saving of his life." But his gratitude soon evaporated, and he employed the benefit against the benefactor. Faithful to his principles, he entered into every opposition to the government, and the English reformer became the hireling of the French ambassador. His apologists have remarked that if he took the money of France, he still persisted in that line of conduct which he deemed most beneficial to his country; which is much the same as to assert that he was mean enough to accept the wages of infamy for doing the work of righteousness. To his last breath the establishment of his beloved commonwealth was the idol of his heart, and the written speech which he delivered to the sheriff on the scaffold concluded with a prayer of thanksgiving to God, "that he died for that *good old cause* in which he was engaged from his youth, and for which God had so often and so wonderfully declared himself." This speech the government was careful to publish, and the concluding paragraph inflicted on the cause of the Whigs an injury, which they were unable to repair by the publication of Sydney's apology, a tract dated by him on the day of his death, in which he severely animadverts on the testimony of lord Howard, and on the conduct of the judge⁹⁸.

⁹⁸ See both the speech and apology in State Trials, ix. 907, 916. Also Dalrymple, App. 56. State Tracts, ii. 266, 267.

Three of the council of six had paid the forfeit of their lives : of the survivors Hampden alone remained in custody ; and against him the charge of treason had been abandoned, and in its place a bill of indictment for a misdemeanour had been found. Monmouth, to his surprise, was served with a subpœna to give evidence on the approaching trial : nor could he avail himself of the royal promise that no use should be made of his confession ; for the king replied that he was released from that engagement by the breach of contract on the part of his son ⁹⁹. The proceeding opened the eyes of the duke to the difficulties in which he had entangled himself. He suddenly disappeared from his house in Holborn ; and a few days later he was seen in Zealand, on his way to the city of Antwerp. The chief witness against Hampden was lord Howard : but the crown lawyers took the opportunity to fortify their former charge against Sydney, and proved beyond contradiction the mission of Aaron Smith to Scotland, and his return to the capital. Hampden, after a long, and apparently an impartial trial, was found guilty, and adjudged to pay a fine of 40,000*l.*, which, considering his circumstances, was equivalent to a sentence of imprisonment pending the life of his father ¹⁰⁰.

During the course of the year two other individuals, Hallway and Armstrong, suffered death on account of the plot. Both had fled beyond the sea, and were in consequence outlawed. Hallway being apprehended in the West Indies, was brought back to England, and petitioned for mercy. The benefit of a trial, which was offered, he refused, and suffered death on the out-

CHAP. VII.
A. D. 1683.

Trial of
Hampden.

1684.
Feb. 6.

Execution of
Hallway
and Arm-
strong.

April 21.

April 30.

⁹⁹ Carte's Ormond, ii. 533. State Trials, 1017.

¹⁰⁰ State Trials, 1053—1126. It was complained that the fine was excessive, and contrary to the *salvo contentamento* of Magna

Charta ; but was answered that an offence which in reality amounted to high treason, required a severe punishment, and that the provision in Magna Charta regarded amerce-ments, and not fines.

CHAP. VII. lawry, confessing his participation in the design of insurrection, but not in that of assassination¹. The other, sir Thomas
 A. D. 1684. Armstrong, had been taken by the civil authorities at Leyden, and delivered to Chudleigh, the English ambassador, at the Hague. At the bar of the King's Bench he demanded a trial, founding his claim on the statute of the 6th of Edward VI., which gave to the outlaw for treason, if he resided beyond the sea, the right of traversing the indictment, provided he yielded himself to the chief justice within the term of one year from the date of the outlawry. But Jeffreys replied that, though the term was not expired, his case came not within the statute. The favour was granted only to those outlaws, who, being at large in foreign lands, spontaneously surrendered themselves to trial, for the purpose of proving their innocence. But he was not at large. He was a prisoner: he came not of his own will; he was brought there by force to suffer the punishment of his crime. Armstrong still insisted: he claimed as his right the benefit of the law: to which Jeffreys had the barbarity to reply: "And the benefit of the law you shall have, by the grace of God. See that execution be done on Friday next according to law." Why, it may be asked, was that grace refused to Armstrong which had been offered to Hallowsay? The former had sinned more deeply. In return for the royal favour, which he formerly enjoyed, he had sold himself to the French ambassador to oppose the government of his benefactor, he had been the adviser of Monmouth in his undutiful conduct to his father, and had proved one of the most active and dangerous agents in the late conspiracy. Charles resented his ingratitude, and refused

¹ State Trials, x. 1—30. Burnet, ii. 405. James in a letter to the prince of Orange says that the trial was offered him, because

it would afford another opportunity of proving from his confession the existence of the plot. Dalrymple, 49.

to listen to any representation in his favour. On the scaffold Armstrong imitated lord Russell. The charge of designing to assassinate the king, and change the form of government, he denied in the strongest terms : on the minor charge of insurrection he said nothing, and his silence was considered equivalent to an avowal ².

The discovery of the plot, and the subsequent punishment of the conspirators, had completed the triumph of the court. The Whigs retired from the contest ; the liberal principles of government, which they advocated, were excluded from general conversation ; the duty of passive obedience was inculcated at the bar, on the bench, and from the pulpit, and addresses were daily presented to the throne, expressive of the firmest attachment to the royal person, and of unbounded submission to the royal will. After a long and hazardous struggle, the king found himself invested with almost absolute power by the spontaneous declarations of his subjects ; and he was careful to cultivate and improve the change, by gratifying them in a point which they deemed of the first importance to the safety of their religion. His brother was a catholic ; but it was not probable that he could survive the king many years, and his presumptive heir the princess Mary had been educated a protestant and married to a protestant. To add to this security Charles had insisted that her sister, the princess Anne, should also be bred in the protestant faith, and he now resolved to give her a protestant husband. For this purpose he selected George, the brother to the king of Denmark. His religion constituted the sole merit of that prince : but the announcement of the king's intention

CHAP. VII.
A. D. 1684.

June 20.

Marriage of
the princess
Anne.

² State Trials, x. 105—124. Burnet, ii. 407.

CHAP. VII. gave universal satisfaction, and the nuptials were celebrated with the applause and congratulation of the whole kingdom ³.
A. D. 1684.

Surrender of
charters.

Charles enjoyed uninterrupted tranquillity during the remainder of his reign. Relieved from the constant assaults of a powerful faction, he employed his attention in strengthening his power, and in guiding the opposite parties which sprung up among his own ministers. 1. In the course of time several boroughs, by the exercise of those exclusive privileges which had been conferred on them by ancient grants from the crown, had grown into nests or asylums of public malefactors, and on that account were presented as nuisances by the grand jurors at the county assizes. Writs of *quo warranto* were issued: the corporations thought it prudent to submit; and the old were replaced by new charters, which while they preserved to the inhabitants the more useful of their former liberties, cut off the great source of the evil by giving to the county magistrates a concurrent jurisdiction with those of the borough. But the reformation of abuse was quickly made the pretext for increasing the influence of the crown, and the success with which this was effected in a few instances, excited a wish of extending the alteration to every part of the country. Hitherto for several years the Whigs had possessed in many places the power of

³ I should perhaps notice the severe frost at the beginning of 1684. On the 24th of January Evelyn writes thus: "The frost continuing more and more severe, the Thames before London was still planted with booths in formal streets, all sorts of trades and shops furnished and full of commodities, even to a printing press. . . . Coaches plied from Westminster to the Temple, and from several other stairs to and fro as in the streets, slides, sliding with skates, a bull-baiting, horse and

coach races, puppet plays and interludes, cooks, tipling, and other lewd places, so that it seemed to be a Bacchanalian triumph or carnival on the water. . . . London, by reason of the excessive coldness of the air hindering the ascent of the smoke, was so filled with fuliginous steam of the sea-coal, that hardly could one see cross the streets, and this filling the lungs with its gross particles, exceedingly obstructed the breast." Evelyn, iii. 109.

returning individuals of their own party as members of parliament; by the new charters an adverse interest was established in each borough, and the choice of representatives was confined to persons attached to the court. On this account the inducements of promises and threats were held out to corporations, to prevail on them to part with their ancient privileges; every surrender of a charter was received with expressions of gratitude by the ministers; and the persons who had been instrumental in procuring such surrenders received assurances of favour and reward. Of these Jeffreys, as he was the most eminent in office, became the most distinguished by his success. When he departed from court for the northern circuit, Charles gave him publicly a ring from his finger: notice of the royal gift was published in the Gazette; and the hope of profiting by the influence of so distinguished a favourite led the corporate bodies, whom he addressed, to submit implicitly to his suggestions. Neither had the boroughs much reason to complain. By the renewal of their charters they lost no franchise which it was reasonable that they should retain; many acquired rights which they did not previously possess: but individuals suffered, because the exercise of authority was restricted to a smaller number of burgesses, and these, according to custom, were in the first instance named by the crown. The surrender of charters continued to the end of this, and during great part of the next reign⁴.

2. At the same time a succession of prosecutions at the instance of government intimidated and silenced its adversaries. Some persons were brought to trial for seditious or slanderous words, several for the publication of libels; Braddon and Speke

CHAP. VII.
A. D. 1684.

New prosecutions.

⁴ North, 624—627. Bulstrode, 388. Echard, 1043, 1045.

CHAP. VII. for a conspiracy to fasten on the royal brothers the guilt of the
 A. D. 1684. murder of Essex; and Dutton Colt and Titus Oates for *scandalum magnatum* against the duke of York. That these men were guilty of the offences imputed to them, cannot be disguised: but in many cases the punishments inflicted of fine and the pillory were unjustifiably severe; and it would have been more magnanimous in the duke to have despised the habitual slander of two miscreants, than to have them immured in prison in consequence of the damages awarded to him to the amount of 100,000*l*. The last prosecution of consequence was that of Rosewell a dissenting minister for the offence of high treason. Nov. 18. The jury found him guilty: but a doubt existed of the credit due Nov. 27. to the witnesses, and, as Jeffreys countenanced his objections Jan. 28. against the accuracy of the indictment, the king granted him a full pardon⁵.

Discharge of
 the lords in
 the Tower.

3. Five years had elapsed since the committal of the earl of Danby and the catholic lords to the Tower. Of the unparalleled hardship of their case, no doubt can exist; but the king had hitherto shrunk from any measure, which by relieving them, might revive the clamour of his enemies; and prudence taught the judges not to interfere with the jurisdiction of the high court of parliament. Now, however, the ascendancy of the Tories seemed to be firmly established; the death of lord Petre, whose constitution sunk under the rigour of a long confinement, awakened the compassion of the public⁶; and Charles signified his wish that

⁵ The reader will be surprised to hear from the lips of Jeffreys the following humane opinion, which he expressed during the arguments on this case. "I think it is a hard case that a man should have counsel to defend him for a two-penny trespass, and his witnesses examined upon oath; but if he steal, commit murder or felony, nay high treason, where life, estate, honour and all are

concerned, he shall neither have counsel nor his witnesses examined upon oath." State Trials, x. 267.

⁶ From his death-bed he sent a letter to the king, in which he declared his attachment to the sovereign, his forgiveness of his accusers, and his innocence of the plot. See it in Somers, Tracts, viii. 121.

some expedient might be devised for the relief of the survivors. For some time the question was kept in suspense by the arts of those, whose ambition feared that Danby, were he restored to liberty, might recover his former influence with the king, and supplant them in the cabinet. But his conduct with respect to the revelations of Oates had alienated both the royal brothers; nor would it have been decorous to give the administration of affairs to a man under impeachment by the house of commons. The opposition gradually wore away: on the last day of term the earls of Danby and Powis, and the lords Arundel and Belasyse, were brought by writ of *habeas corpus* before the court of King's Bench; the judges severally delivered their opinions that "in justice and conscience" the prisoners ought long ago to have been admitted to bail; and each was discharged having previously entered into a recognizance of 10,000*l.* for himself, and produced four sureties, of 5,000*l.* each, that he would appear at the bar of the house of lords in the next session of parliament, and not depart without the permission of that court⁷.

CHAP. VII.
A. D. 1684.

Feb. 12.

4. The power of the lord privy seal had been on the wane ever since the return of the duke of York. His successful efforts against the bill of exclusion deserved the gratitude of that prince; but the memory of the benefit had been obliterated by his subsequent conduct. Halifax had suggested and advocated the different expedients to deprive the duke of power, if he came to the throne, had advised his banishment, and had strenuously opposed his recal. But that, which James resented still more keenly, was his recent intrigue in favour of Monmouth, and his perseverance in the attempt to reconcile the father and son even

Intrigues of
Halifax.

⁷ Luttrell in *State Trials*, ix. 1019. Reresby, 177. Dalrymple, 73.

CHAP. VII. after the fresh disobedience and flight of the latter⁸. Hence to
A. D. 1684. fortify himself against the dislike of James, the wily statesman resolved to advise the calling of a parliament. It would be a popular measure at a moment when the national jealousy had been aroused by new aggressions of the French king on the Spanish Netherlands⁹; and he represented to Charles that had he summoned a parliament on the discovery of the Rye-house plot, the loyalty of the people would have returned a house of commons anxious to meet all his wishes: that it was not yet too late; for the flame still continued to burn, though it was insensibly wasting away; that the interval allowed by the triennial act had already expired; and that delay would disappoint the expectation of the people, disappointment might breed discontent, and discontent would lead to the revival of the popular party. But the very name of parliament sounded gratingly in the ears of a monarch who contrasted his present tranquillity with the disquiet, alarm, and exasperation which he had so often endured from that assembly; and instead of yielding to the reasons adduced by the minister, he accepted his very courtly offer, of sacrificing his own opinion to the pleasure of his sovereign, and of making it his study to invent some excuse, which should satisfy the minds of the people¹⁰.

The duke of
 York recalled
 to the council.

James at first appeared to take no part in the conduct of government; by degrees he was re-established in his former pre-eminence. His services in the office of lord high admiral had always been acknowledged; and the indolence, or incapacity, or corruption of those by whom he was succeeded, had become a subject of popular complaint. Charles dissolved the commission, and placed the whole business of the admiralty

May 11.

⁸ Reresby, 174.

¹⁰ Reresby, 176.

⁹ His object was to extort from Spain the cession of the "dependencies" which he claimed.

under the control of his brother, but to shield him from the penalties enacted by the test act, exercised the office himself, signing all those papers to which the signature of the lord high admiral was required¹¹. The approbation with which this arrangement was received encouraged him to go a step farther. He felt himself strong enough to set the test act at defiance; and introducing his brother into the council, bade him take his seat among the members. This proceeding, however, excited some murmurs. Even the Tories could not discover, by what right he had thus of his own authority set aside an act of parliament¹².

Hyde was deservedly the chief favourite of the duke. He had recently been created earl of Rochester, held the place of first commissioner of the treasury, and was destined in the opinion of the court to be raised to the office of lord high treasurer. To prevent the elevation of this dangerous competitor, Halifax charged him with negligence or embezzlement, and after a long contest Rochester was removed from the treasury board to the office of president of the council, from a post of considerable influence to one of higher honour but comparative insignificance. He was, in the language of Halifax, "kicked up stairs:" but the royal brothers had a more distinguished office for him in view. Desirous to place the army in Ireland under the immediate control of the crown, they resolved to appoint Rochester lord lieutenant of Ireland in the place of the duke of Ormond; but at the same time to separate the military command from the civil government, entrusting the latter only to the care of the new viceroy. Rochester accepted the

CHAP. VII.
A. D. 1684.

May 28.

Promotion of
Hyde.

Aug. 24.

¹¹ "Every one was glad of this change, those in the late commission being utterly ignorant of their duty to the greates damage

of the navy." Evelyn, iii. 115.

¹² Bulstrode, 377. Dalrymple, 50. Reresby, 181.

CHAP. VII. offer, nor did Halifax object to an appointment which relieved
 A. D. 1684. him from the presence of a rival ¹³.

Attempt at
 toleration.

About the same time an abortive attempt was made to obtain relief for the catholics and dissenters. The persecution of the former, though it had abated in violence, did not end with the reign of Titus Oates, but had been kept alive by the proclamation of the king, and the circular of the archbishop in 1681. The number of those, who during the last five or six years had been presented and convicted of recusancy, amounted to some thousands. To have inflicted on all these the legal penalties would have demanded additional places of confinement; but those who were suffered to remain at large, enjoyed their liberty only at the caprice or pleasure of their neighbours, paid for the benefit by fees and presents to the inferior officers, and were subject to restraints which made them feel as prisoners in their own houses. The dissenters, indeed, as long as the Whig leaders were triumphant, had been spared as useful and zealous auxiliaries; but, when victory inclined to the court, they became equally obnoxious to the orthodoxy of the conquerors, and were made to suffer the penalties enacted against recusants, and the frequenters of conventicles. A measure of relief for both classes was now devised, or at least patronized, by the duke of York, who, though he probably felt more for the sufferings of men of his own faith, sufferings chiefly inflicted on his account, had constantly assured the dissenters of his abhorrence of all penal laws on matters of conscience. According to a preconcerted plan, Jeffreys, who had lately been admitted into the council, placed one morning on the table a huge mass of papers. They were, he said, rolls of the names

¹³ Reresby, 185. Bulstrode, 385, 389. Burnet, ii. 432.

of convicted recusants, which he had collected during the last circuit: the gaols were crowded with them to suffocation; it would be an act of mercy to restore these prisoners for conscience' sake to air and liberty, and on that account he recommended the subject to the royal consideration. A long pause ensued: the silence was broken by North, the lord keeper, who, aware of the real inclination of the king and his brother, sought to defeat the measure without giving offence. Among the recusants were, he observed, many nonconformists, men hostile by principle to the monarchy. If it were wished to show favour to any of the catholic recusants, it might be done by particular pardons: but a general pardon would set at ease the king's enemies no less than his friends, and free a turbulent and seditious class of subjects from the wholesome restraint of the laws. When he had done, a second pause occurred; and the council passed to other business of the day; but the slumbering zeal of the bishops was awakened by this dangerous attempt, and they were careful to inculcate in charges to the clergy the duty of presenting all the recusants in their respective parishes, whether they were protestants or catholics¹⁴. In one respect, however, the king followed his own inclination. He granted their lives to several catholic priests, under sentence of death for having taken orders in the church of Rome, and sent them out of the kingdom¹⁵.

CHAP. VII.
A. D. 1684.

Dec. 29.

Halifax could not conceal from himself the rapid decline of his influence. He was still, indeed, consulted, but chiefly on matters connected with his office: Charles continued to speak to him with kindness, and gave him assurances of favour, but, as he significantly observed, "though he knew what the king

Proceedings
of Mon-
mouth.

¹⁴ Life of North, 235. Ralph, 831. MS. ¹⁵ Barillon, 8 Janv.
papers in my possession.

CHAP. VII. said to *him*, he knew not what he might say to others." His
 A. D. 1684.

been broken by the obstinacy of Monmouth; he again undertook to supplant the duke of York by reconciling the king and his son, a task the sole difficulty of which arose in his judgment not from disinclination on the part of the father, but from his unwillingness to embroil himself with the duke of York. With this view Halifax advocated the cause of the exile in private, and supported his hopes by letters and messages. Monmouth had retired to Brussels, whence, after some stay, he proceeded to Holland. In Brussels he was treated by De Grana, the Spanish governor, and in Holland by the prince of Orange, as if they were anxious to secure his friendship. He ate at their tables; their troops were ordered to receive him with military honours, and provision was carefully made for his wants and pleasures. The prince invited him to hunt at Diren, and at the Hague the princess paid the most marked attention to his mistress, the lady Harriet Wentworth. It was in vain that the duke of York complained to his daughter and her husband in no very measured terms of their conduct, and that Charles remonstrated in person to the foreign ambassadors in England, and by his envoys to the prince, the States, and the Spanish government. The usual reply was, that foreigners knew nothing of any real offence which Monmouth might have committed. It was enough for them that he was the king's son: the attention which they paid to him in this capacity grew out of the respect which they entertained for his father¹⁶. This answer, however, could not explain the obstinacy, with which they persisted in the same conduct after repeated expostulations on the part of

July 5.

¹⁶ D'Avaux, iii. 52; iv. 8, 17, 28, 43, 59. Dalrymple, 56, 57. Bulstrode, 376, 377, 384, 390.

Charles : and the truth was that they gave no credit to the assertion of his displeasure : they had received private assurances that " he loved Monmouth as his own eyes," and that he was gratified with those demonstrations of respect to him, which might serve to relieve the tedium of his exile ; and they persuaded themselves that, when the duke should be publicly restored to favour, they should reap the benefit by a change of counsels with respect to the foreign policy of England¹⁷. At length, Van Citters, the Dutch ambassador, at the request of Charles, repaired to the Hague ; a new, but in all probability a counterfeit negotiation ensued : the prince appeared to submit to the pleasure of his uncle, and Monmouth departed under the pretence of returning to Brussels. But he soon disappeared, came privately to England, had a secret interview with his father, and went back to the Hague with a promise that within three months he should be publicly received at court, and the duke of York be banished in his turn into Flanders or Scotland¹⁸. With his visit to England, and his clandestine correspondence with Halifax, James was perfectly acquainted ; but of the king's promise he probably knew nothing. Charles had requested him to go and hold a parliament in Scotland, to which he had assented, looking on the proposal as a fresh proof of the friendship and confidence of his brother¹⁹.

CHAP. VII.
A. D. 1684.

Oct. 31.

Nov. 30.

¹⁷ " The marquis de Grana told me, he knew from whence the king's displeasure came ; that it was the duke of York, who was the great enemy of the duke of Monmouth, whom the king loved as his own eyes." Bulstrode, 390. " Je sais que dans le fonds du cœur il a toujours quelque amitié pour lui, et que le roi ne peut être fâché, que je lui aye fait des civilités." The prince to Bentinck, Dalrymple, 62.

¹⁸ D'Avaux, iv. 67. Dalrymple, 58, 74,

94. Welwood, 322. " Feb. 3. A letter from L. (Halifax) that my business was almost as well as done, but must be so sudden as not to leave room for 39's (the duke's) party to counterplot ; that it is probable he would chuse Scotland rather than Flanders or this country, which was all one to 29 (the king)." Monmouth's diary in Welwood, 323.

¹⁹ D'Avaux, iv. 71, 72, 88, 94. Fox, App. viii.

CHAP. VII. Concurrent with this intrigue there existed another, which
 A. D. 1684, had for its object the disgrace of Halifax himself. In council
 he had advised the king to give to the English colonies in
 America local legislatures in imitation of that in the mother
 country, and in support of his argument had expatiated on the
 superiority of a representative over a despotic government.
 His words were noticed by his adversaries, who insinuated to
 the king, that the old leaven still fermented in his breast ; that
 he still cherished antimonarchical principles ; and that he was
 a dangerous man to be trusted with so important an office as
 that of the privy seal. Charles listened or appeared to listen to
 these suggestions ; they were repeated by the duke of York, the
 duchess of Portsmouth, and lord Sunderland ; and an assurance
 was obtained that on the first fitting opportunity the obnoxious
 minister should be removed from office, if he did not previously
 retire of his own accord ²⁰. It is probable that the king equally
 dissembled with both parties. He suffered their intrigues, ca-
 ajoled them with the hope of victory, promised to the duke the
 dismissal of Halifax, to Halifax the banishment of the duke ;
 and thus, by abusing their credulity, purchased for himself a
 momentary relief from disquietude, and removed to a future
 and uncertain day the task of deciding between their conflicting
 claims and recriminations.

Last sickness
 of the king.

1685.

Feb. 2.

That day, however, he was not destined to see. On Monday,
 the second of February, after a feverish and restless night, he
 rose at an early hour. To his attendants he appeared drowsy
 and absent : his gait was unsteady, his speech embarrassed.
 About eight, as he walked across his room, he fell on the floor
 in a state of insensibility, with his features strongly convulsed.

²⁰ Fox, App. vii—ix ; and a letter of Barillon, 1 Janv.

It fortune'd that two physicians were within call, of whom one, who had practised as a surgeon, instantly opened a vein. The blood flowed freely : the most stimulating remedies were subsequently applied ²¹, and the royal patient gradually recovered his consciousness and the use of his speech. In the evening he suffered a relapse, but unexpectedly rallied the next morning, and improved so much in the course of the day, that his physicians began to cherish the hope of his recovery. But in twenty-four hours the prospect changed. The king's strength was exhausted. He repeatedly fell into a state of stupor, and on the fifth evening it became evident that his dissolution was rapidly approaching. The impression which these changes made on the public mind furnishes a strong proof that Charles, with all his faults, was beloved by his subjects. The announcement of his malady spread a deep gloom over the metropolis : the report of his convalescence the next day was received by the citizens with expressions of joy, the ringing of bells, and numerous bonfires. When at last the danger became manifest, crowds hastened to the churches to solicit from heaven the health of their sovereign, and we are assured that repeatedly the service was interrupted by the sighs and sobs of the congregation. In the two royal chapels the ministers succeeded each other in rotation ; and the prayers were continued without intermission till his death.

CHAP. VII.
A. D. 1685.

Feb. 3.

Feb. 4.

After the first attack, the moment the king recovered his speech, he had asked for the queen, who came immediately, and continued to wait on him with the most affectionate attention, till the sight of his sufferings threw her into fits, and the

²¹ " On lui mit des poëles chaudes sur la tête, sans qu'il parût les sentir . . . on lui a appliqué des vésicatoires à la tête, aux épaules, aux bras, et aux jambes ; on lui a donné des vomitifs en quantité, qui on fait quelque effet." Barillon, 12, 14 Fev.

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Feb. 5.

physicians forbade her to leave her own apartment. Interest, as well as affection, prompted the duke of York to be present : nor did he ever quit the bed-side of his brother, unless it were for a few minutes to receive reports concerning the state of the city, and to give orders for the maintenance of tranquillity and the securing of his own succession. In like manner the archbishop of Canterbury and the bishops of London, Durham, Ely, and Bath and Wells, were constantly in attendance, and one of them watched in his turn during the night in the king's chamber.

Early on the Thursday morning Kenn, of Bath and Wells, seized a favourable moment to warn the monarch of his danger ; and the air of resignation with which the announcement was received, encouraged him to read the office appointed for the visitation of the sick. When he came to the rubric respecting confession, he paused—observed that it was a matter not of obligation, but of choice—and, receiving no answer, asked whether the king repented of his offences against the law of God. Charles replied in the affirmative, and the prelate, having pronounced the usual form of absolution, asked if he might proceed to the administration of the sacrament. The king appeared to take no notice of the question ; but Kenn renewed the proposal with a louder voice, and Charles replied in a faint tone, that there was still time enough. The elements were, however, brought and placed on a table ; and the question was repeatedly asked by the bishop, who could extort no other answer from the dying man but that “ he would think of it.”

He is reconciled to the church of Rome.

The duke of York, though aware of his brother's preference of the catholic worship, and reminded of it by the French ambassador at the instance of the duchess of Portsmouth²², had

²² Dalrymple, 91. Fox, App. 12. Had James so little of the zeal of proselytism, that

hitherto abstained from speaking to him on the subject of religion. He heard, however, the discourse between him and the prelate, and perfectly understood the import of the king's reluctant and evasive language. Motioning to the company to withdraw to the other end of the room, he approached the pillow of the sick monarch, and asked in a whisper, if he might send for a catholic priest. "For God's sake do," was the king's reply, "but," he immediately added, "will it not expose you to danger?" alluding to the penalties enacted against those who were instrumental in the reconciliation of others to the church of Rome. The foreign clergyman, to whom the duke sent, could not be found; but Huddleston, the same who waited on the king at Moseley after the battle of Worcester, was desired to supply his place. James ordered all present to quit the room except the earl of Bath, lord of the bed-chamber, and the earl of Feversham, captain of the guard, whose attendance he thought necessary to prevent any sinister reports; and then introduced Huddleston with the words, "Sir, this worthy man once saved your life; he now comes to save your soul." The priest threw himself on his knees, and offered the monarch the aid of his ministry. To his inquiries Charles replied, that it was his desire to die in the communion of the Roman catholic church; that he heartily repented of all his sins, and in particular of having deferred his reconciliation to that hour; that he hoped for salvation from the merits of Christ his Saviour; that he pardoned all his enemies, asked pardon of all whom he had offended, and was in peace with all men; and that he purposed, if God should spare him, to prove the sincerity of his repentance by a thorough amendment of life. Huddleston,

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he cared not in what religion his brother died; or has Barillon exaggerated his services on this occasion, that he might ingratiate himself with his sovereign?

CHAP. VII. having received his confession, anointed him, administered the
A. D. 1685. eucharist, and withdrew. It was desirable that the object of his visit should be concealed. But the eyes of all had been fixed on the royal bed-chamber: the exclusion of the physicians and attendants during three quarters of an hour awakened suspicion; and in a short time the real fact was whispered throughout the palace.

His death.

During that night the king suffered at times the most distressing pain: but in the intervals between the paroxysms his mind was calm and collected, and he spoke of his approaching death with composure and resignation. The queen by a messenger excused her absence, and begged him to pardon her any offence which she might have given. "Alas poor woman!" he exclaimed, "she beg my pardon? I beg hers with all my heart: take back to her that answer." Looking on the duke, who was kneeling at the bedside and kissing his hand, he called him the best of friends and brothers, desired him to forgive the harsh treatment, which he had sometimes received, and prayed that God might grant him a long and prosperous reign. The name of Monmouth never passed his lips; but he sent for his other illegitimate sons, recommended them to James, and drawing each to him by the hand, successively gave them his blessing. At this sight one of the prelates observed that the king, the Lord's anointed, was the common father of all his subjects; every one present instantly threw himself on his knees, and Charles, being raised up, pronounced a blessing over them. He then expressed a hope to his brother that "poor Nelly (Gwyn) would not be left to starve," recommended the duchess of Cleveland to his protection, and spoke warmly in favour of the duchess of Portsmouth, who might, he feared, on account of her political conduct, incur the resent-

ment of his successor. Thus the night passed away; in the morning he lost the faculty of speech, and about noon calmly expired²³.

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Feb. 6.

His character.

In person Charles was tall and well-proportioned, his complexion swarthy, his features singularly austere and forbidding. He inherited from his father a sound and robust constitution, which in his youth he had impaired by indulgence, and afterwards laboured to restore by attention to diet and exercise. In health he was wont to purchase at exorbitant prices the secrets of empirics: but in sickness his good sense taught him to rely on the skill of his physicians.

The disposition of his mind presented an extraordinary contrast to the harsh and repulsive lines traced on his countenance. He was kind, familiar, communicative. He delighted in social converse, narrated with infinite humour; and, as he was the first to seize and expose what might be ridiculous in others, so he never refused to join in the laugh when it was raised at his own expense. Parade and ceremony he held in aversion: to act the part of a king was to him a tiresome and odious task, and he would gladly burst from the trammels of official greatness, that he might escape to the ease and comfort of colloquial familiarity.

With talents, said to be of the highest order, he joined an insuperable antipathy to application; whence it happened, that to the scanty stock of knowledge, which he acquired in his youthful days, he made but few additions in a more advanced

²³ See the account given by James (*Memoirs*, i. 746); Barillon (*Dalrymple*, App. 90); Huddleston (*Brief Account* in "short and plain way," 84—91; and *State Tracts*, 280); Ellis (*Letters*, first series, iii. 333, and second series, iv. 74—80); and Evelyn (iii.

128—132). If the reader compare Burnet (ii. 454—460) with these authorities, he will observe how strangely truth and falsehood are mixed up together in the narrative of that prelate.

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age. He sought amusement, and displayed taste in planting, gardening, and building: sometimes solicitude for his health led him to attend anatomical dissections, and sometimes a spirit of curiosity engaged him in chemical experiments: but the subject of his favourite study, if study it may be called, was naval architecture; in which he had the credit, not only of being a proficient, but of having made some valuable improvements.

Impatient of trouble, and fearful of opposition, he looked upon the practice of dissimulation as the grand secret in the art of reigning. A king, he argued, was surrounded by men, who made it their object, as it was their interest, to deceive him. His only protection consisted in the employment of the same weapon: it was necessary for him to deceive, that he might not be deceived. But Charles practised this doctrine to an extent which marred his own purpose. Experience taught others to disbelieve him as much as he disbelieved them. They distrusted his most solemn promises and asseverations; they paid no attention to his words, but studied his looks to ascertain his real meaning; and the result repeatedly proved that in seeking to impose on others he had in reality imposed on no one but himself.

From the commencement to the close of his reign he was the slave of women: but, though he tolerated their caprice, though he submitted to their intrigues, he was neither jealous nor fastidious, freely allowing to them that latitude of indulgence which he claimed to himself. His example in this respect exercised the most pernicious influence on the morals of the higher classes of his subjects. His court became a school of vice, in which the restraints of decency were laughed to scorn, and the distinctions which he lavished on his mistresses, with

the bold front which he enabled them to put on their infamy, held out an encouragement to crime, and tended to sap in youthful breasts those principles of modesty which are the best guardians of female virtue. There may have been other periods of our history, in which immorality prevailed; but none in which it was practised with more ostentation, or brought with it less disgrace.

Of his pecuniary transactions with the king of France no Englishman can think without feelings of shame, or speak but in the language of reprobation. He may have attempted to justify them to his own conscience; he may have persuaded himself that he only took the money of another for doing that which it was his own duty to do: but it is plain that from the moment in which he became a pensioner, he ceased to be an independent agent. The possession or forfeiture of a considerable income must necessarily have had great weight in the deliberations of a needy and prodigal monarch. But this was not an age of public virtue. We shall look for it in vain either in the sovereign, or in the patriots who opposed him. Both sacrificed at the shrine of the same idol, their own interest.

It was the persuasion of Charles that his political adversaries sought the re-establishment of a commonwealth, theirs that *he* cherished designs subversive of the liberties of the subject. These jealousies, founded perhaps in prejudice more than in truth, produced their natural effect. They led each party to the adoption of measures which it was not easy to justify: they provoked on the one side the extortion of charters, forced constructions of law, and unwarrantable severity of judgment from the bench, and on the other the false and factious votes of the house of commons, the arbitrary arrests of the individuals called abhorrers, and the disgraceful proceedings arising out of

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CHAP. VII. the imposture of Titus Oates. As far as regards despotic
A. D. 1685. power, whatever might have been the inclination of Charles,
he certainly was not the man to win it by force. To a prince
of his indolent disposition and attached so much to his own
ease, the acquisition would not appear worth the trouble and
the risk of the attempt. We are told by one who knew him
well, by Barillon in a confidential despatch to Louis XIV., that
“he viewed such plans with reluctance; that he cared not much
for additional authority; and that in reality his wish was to live
at ease, and to improve his revenue²⁴”.

With respect to his religion, if we believe two noble writers
who were much in his company, the marquess of Halifax, and
Sheffield duke of Buckingham, he was in fact a deist; while
others have represented him as a most accomplished hypo-
crite, who had embraced the catholic worship before the resto-
ration, and yet for five-and-twenty years held himself out to his
subjects as an orthodox protestant. Each of these assertions is
incorrect. Charles never abandoned the belief of christianity,
nor was he ever reconciled to the church of Rome before the
eve of his death. If we compare his proceedings in conse-
quence of the secret treaty of 1670 with his subsequent conduct
in relation to his brother, whom he sought with the aid of the
bishops to recal within the pale of the establishment, and in
relation to his nieces, whom he took from their father that they
might be educated in the protestant faith, and whom he married
to protestants that he might secure a succession of protestant
princes, we shall perhaps come to the conclusion that for the
greater part of his reign he looked on religion as a political
question, and cared little to which of the two churches he might

²⁴ Dalrymple, App. 142.

belong. It is true that afterwards, in 1683, he gave to the subject more attentive deliberation²⁵: yet even then he did no more than deliberate, and never came to a decision till he learned from his physicians that in a few hours he would cease to live.

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In conclusion it may be proper to remark that during his reign the arts improved, trade met with encouragement, and the wealth and comforts of the people increased. To this flourishing state of the nation we must attribute the acknowledged fact, that, whatever were the personal failings or vices of the king, he never forfeited the love of his subjects. Men are always ready to idolize the sovereign under whose sway they feel themselves happy.

Charles left no issue by his queen Catherine of Portugal. Of his illegitimate children he acknowledged James duke of Monmouth, by Lucy Walters; Charlotte countess of Yarmouth, by lady Shanon; Charles duke of Southampton, Henry duke of Grafton, George duke of Northumberland, and Charlotte countess of Lichfield, by the duchess of Cleveland; Charles duke of St. Albans, by Eleanor Gwyn; Charles duke of Richmond, by the duchess of Portsmouth; and Mary countess of Derwentwater, by Mary Davies.

²⁵ James (*Memoirs*), i. 736.

CHAP. VIII.

JAMES II.

KING'S SPEECH ON HIS ACCESSION—HE LEVIES DUTIES WITHOUT AUTHORITY—PRACTISES HIS RELIGION OPENLY—DEMANDS MONEY OF LOUIS—PARLIAMENT IN SCOTLAND—IN ENGLAND—INVASION BY ARGYLE—BY MONMOUTH—THEIR DEFEAT AND EXECUTION—CRUELITIES IN THE WEST—THE KING'S PROJECTS OPPOSED IN PARLIAMENT—PROROGATION—INTRIGUES OF THE MINISTERS—COUNTESS OF DORCHESTER—DISPENSING POWER—ECCLESIASTICAL COMMISSION—SCOTLAND—IRELAND.

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The king's
speech to the
council.

FROM the death-bed of his brother the new king withdrew to his closet, and, after a decent pause, proceeded to the apartment in which the council was assembled. He desired the members to retain the several charges which they held during the late reign, and declared it to be his wish to imitate the good and gracious sovereign, whose loss they deplored. "I have been reported," he continued, "a man for arbitrary power: but that is not the only story which has been made of me. I shall make it my endeavour to preserve this government both in church and state, as it is now by law established. I know the principles of the church of England are for monarchy, and

the members of it have shown themselves good and loyal subjects: therefore I shall always take care to defend and support it. I know too that the laws of England are sufficient to make the king as great a monarch as I can wish: and, as I shall never depart from the just rights and prerogatives of the crown, so I shall never invade any man's property. I have often heretofore ventured my life in defence of the nation, and I shall still go as far as any man in preserving it in all its just rights and liberties." This speech was joyfully and gratefully received; James assented to the request that it might be published; and, as he had not committed it to paper, a copy was made on the spot by Finch the solicitor-general, and approved as correct by the king¹.

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The moment the council was dissolved, the lords proclaimed the new sovereign at the gate of Whitehall, at Temple-bar, and at the Royal Exchange. In imitation of the precedent set at the accession of James I. wine was distributed among the spectators to drink the king's health, and the crowd, after the usual acclamations, peaceably dispersed. During his brother's sickness James had ordered the ports to be closed, and had stationed strong bodies of troops in different parts of the city. But the result proved that these precautions were unnecessary. Not a murmur was heard: no attempt at riot or resistance was made; never did prince succeed more tranquilly to the throne².

He is proclaimed.

The king's speech gave universal satisfaction, and the address of the bishops, presented the next day, served to confirm this favourable impression. He had anticipated all their wishes, had promised all that they could ask. They would treasure his words in their hearts, and make it their prayer that God would render his reign happy and suitable to these glorious beginnings,

Addresses.

Feb. 7.

¹ James, ii. 3. Fox, App. 16. Kennet, 427.

² Fox, App. 16.

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and afterwards crown him with glory in the world to come. The same sentiments were repeated by the two universities, and generally echoed from the pulpits ; so little did the clergy foresee that in less than three years the time would come, when they would have to reproach him with the breach of his promise, and he would charge them with apostacy from their principles³.

Taxes continued by royal authority.

The first question which claimed the attention of the new monarch was the state of the revenue. The parliamentary grant of one half of the excise, and of the whole of the customs, expired at the death of his brother⁴: was he then to content himself with a mutilated income, confessedly inadequate to the wants of government, or to continue the former duties till the meeting of parliament, by his own authority and contrary to law? He chose the latter part of the alternative ; but at the same time, to gratify the wishes of the people, he resolved to call a parliament, and, that he might claim the whole merit, to call it before the request should be urged by any public body, or the advice be suggested by the privy council.

Feb. 9.

A parliament was accordingly summoned to meet on the 19th of May, and a proclamation issued, which, alleging state necessity as the cause, ordered the usual duties to be levied on merchandize, till parliament should have settled the revenue of the crown. That such a measure was illegal, did not admit of doubt; nor were the enemies of James slow to point to it as a proof of the meaning which he attached to his promise of “ never invading any man’s property⁵.” But the nation

³ Clar. Corresp. ii. App. 471. Gazette, 2018.

⁴ One portion of the duties, the additional excise amounting to 550,000*l.* a-year, might, according to the act of parliament, be farmed for the space of three years, and remain in force till the expiration of that term. James

was careful to have the lease renewed and signed by his brother the day before his death. Gazette, 2009. Fox, App. 39. This portion therefore he could levy by law.

⁵ Some thought that the duties should be paid into the exchequer, and remain there, to be disposed of by parliament, others that no

cheerfully acquiesced. The necessity of levying the duties was considered as a satisfactory apology; and the very language of the proclamation implied an acknowledgment of the constitutional maxim that money could not lawfully be raised without the authority of parliament. The barristers of the Middle Temple presented to the king an address of thanks; the great companies of merchants trading to the Baltic, to the East Indies, to Africa, and to Maryland, Hudson's Bay, and Jamaica assured him of their ready compliance, and imposts contrary to law, which in the reign of Charles I. would have thrown the whole nation into commotion, were submitted to without opposition or complaint⁶.

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Of the ministers of the late king, the only man who held (and by his undeviating devotion to the interests of the duke he deserved to hold) a high place in the favour of James, was the earl of Rochester. He had not, hitherto, taken possession of his government of Ireland, and the death of Charles opened a more brilliant prospect to his ambition. James did not wait to be asked, but without previous solicitation placed the staff of lord high treasurer in the hands of his friend. The near relationship of Rochester to the first duchess of York, joined to his more recent services, justified the partiality of the king;

The ministers
—Rochester.

money, but bonds for subsequent payment, should be taken. Both expedients were contrary to law. As the duties were not in existence, neither the money nor bonds for money could be legally required.

⁶ Lord Lonsdale, Mem. 4. Fox, App. 18, 39. Burnet, iii. 9. Kennet, iii. 427. Ralph, 847. Barillon, 22 Fev. Dalrymple has published but few extracts from the despatches of Barillon after the death of Charles II. Mr. Fox procured copies of those which were written during the reign of James, but the appendix to his history, as well as the history

itself, is confined to the transactions of a few months. Mr. Mazure had access to all the documents in the dépôt des affaires étrangères, but he contented himself with embodying the information which he derived from them in his valuable work, *Histoire de la Revolution de 1688*. In the following pages, whenever I annex the date of the letter, the reader will understand that I refer to the unpublished letters. The same may be observed of the references to the despatches of D'Avaux and Bonrepaus.

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and the avowed attachment of the new treasurer to the interests of the church, in which point he pretended to inherit the sentiments of his father Clarendon, assured him of the support of all who sought the welfare of the establishment⁷.

Godolphin.

Lord Godolphin, who, by the elevation of Rochester, lost his place of first commissioner of the treasury, had little claim to the gratitude of the new king. But James had learned to appreciate his value from the services which he had rendered to the last monarch, and appointed him chamberlain to the queen, whose esteem he soon acquired, and whose confidence he repaid by a long and devoted attachment. Even after the revolution, when he had attained to the highest honours under the new dynasty, Godolphin continued to maintain a clandestine correspondence with Maria d'Este till his death⁸.

Halifax.

Halifax had more reason to dread the royal resentment: yet, when he attempted to apologize, James interrupted him with this gracious declaration, that of his former conduct he remembered nothing except his opposition to the bill of exclusion. But he soon discovered that he was not admitted to the royal confidence, and that the arts which he had so lately practised, might be turned against himself. He was compelled to accept the higher but empty honour of lord president, that he might quit the more lucrative office of privy seal to the earl of Clarendon, Rochester's brother⁹.

Sunderland.

But of all the earl of Sunderland had sinned the most deeply. After his first offences had been forgiven, after he had sworn inviolable fidelity to the interests of the duke, he had recently been detected in a new intrigue with the duchess of Portsmouth, having for its object the removal of James from the court.

⁷ James, ii. 8, 63. Fox, App. 16, 18, 30, 34, 50. Burnet, iii. 8.

⁸ Fox, App. 34, 50. Burnet, iii. 8, note.
⁹ Fox, App. 38. Burnet, iii. 7.

But Sunderland possessed a wonderful facility of disarming the resentment, and worming himself into the confidence of those whom he had offended. He observed to the king that now, if he were retained in office, he could have no hope of favour or preferment but from the merit of his services ; he converted the enmity of the two brothers Clarendon and Rochester into friendship by persuading them that he had privately advocated their interest with the sovereign ; he procured through Barillon a strong recommendation in his favour from the king of France ; and, to secure the good will of the catholics, he held himself out to them as the warm and uncompromising champion of toleration in the cabinet. James yielded to so many arguments and entreaties ; Sunderland was retained in his former office of secretary ; and it soon appeared that he, Rochester, and Godolphin were the only ministers possessing the confidence of the monarch¹⁰.

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But Sunderland did not confine his ambition to the secretaryship ; he aspired to the staff now held by Rochester : and, to supplant his rival, was careful to propose in council measures in behalf of the catholics, which he knew that James would secretly approve, and that Rochester, in accordance with his avowed principles, would certainly oppose. For greater security he connected himself with three catholics, from whose friendship he promised himself considerable advantage, Richard Talbot an Irish gentleman, Henry Jermyn, nephew to the late earl of St. Albans, and Edward Petre, a jesuit, and brother to the lord Petre, who had died in the Tower. Talbot and Jermyn had been faithful and devoted servants to the duke in all the vicissitudes

Secret cabal.

¹⁰ " Le conseil du cabinet ne se tient que pour la forme. Le roi d'A. confère tous les jours avec mylord Rochester, et Sunderland,

et mylord Godolpin, ensemble et séparément. C'est avec eux que les resolutions se prennent." Barillon, 22 Fév.

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of his fortune, and Petre, a weak but plausible man, had long been distinguished by him with particular marks of friendship. These four, if we may believe the king himself, met in private, talked over their services and pretensions, and engaged to aid each other in the acquisition of the objects of their ambition, of the treasuryship for Sunderland, of a peerage and the government of Ireland, subject to a *douceur* to Sunderland, for Talbot, of a peerage and the captaincy of the horse guards for Jermyn, and of a cardinal's hat for Petre. In pursuit of the same object Sunderland established, with the consent of the king, a secret board to watch over the interests of the catholics, which should meet at his office, or at the lodgings of Chiffinch, page of the back stairs. The first members were the lords Arundel and Belasyse, Jermyn who was created lord Dover, and Talbot, who obtained the command of a regiment in Ireland; to whom father Petre was soon added, and subsequently the earls of Powis and Castlemaine. Of these Powis, Arundel, and Belasyse were considered as the more moderate in their views; the others advocated bolder measures, and were supported by the policy of Sunderland ¹¹.

The king
hears mass
openly.

Feb. 12.

With this board James debated a question of considerable delicacy and importance, respecting the practice of his religion. Of his attachment to the church of Rome, after the sacrifices which he had made, every man must have been convinced: and the question now was whether, after his accession to the throne, he ought to be content with the clandestine exercise of the catholic worship, or openly to attend a form of religious service still prohibited by law. The latter accorded better with that hatred of dissimulation which was believed to mark his

¹¹ James ii. 63, 64, 74, 76, 77. Fox, App. 17, 25, 48, 69.

character, and was moreover recommended to his choice by the reflection, that if he were ever to make a public profession of his religion, he might do it with less inconvenience at the beginning, than at any subsequent period of his reign. As early as the second Sunday after his brother's death, in opposition to the advice of the council, he ordered the folding doors of the queen's chapel to be thrown open, that his presence at mass might be noticed by the attendants in the antichamber. This circumstance revealed nothing which was previously unknown: yet the boldness, with which the king displayed his contempt of the law, alarmed the zeal of the bishop and the clergy of London, and the pulpits began to resound with declamations against popery, and predictions of danger to protestantism. James in his turn grew alarmed: he sent for all the prelates in town: he complained of such treatment as dangerous to the state, and unprovoked on his part; and he renewed his promise of protection to the church, but with a significant hint, that he should think himself absolved from his word, the moment the church should swerve from its engagements to him. The conclusion was that the bishops undertook to restrain within due limits the zeal and intemperance of the preachers¹².

In a few days the murmurs which had been excited, died away; but they were quickly revived by the impatience or the imprudence of the king. He could see no reason why difference of religion should make any difference in the respect usually paid to the sovereign: and therefore announced to the council his intention of going with the usual state to the queen's chapel on particular occasions, and his expectation that the ministers

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Goes to
chapel in
state.

April 15.

¹² Fox, App. 37, 44. Barillon, 22 Fev.; 12 Mars. See note B.

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and officers of the household would accompany him as far as the door, and attend on him there on his return. Sunderland offered no objection, and Godolphin by his office of chamberlain was compelled to wait on the queen: but Rochester, aware that his reputation for orthodoxy was at stake, absolutely refused to be present without an express order from the king, and was with difficulty persuaded to accept of the royal permission to spend a short time in the country¹³. The next day, being Holy Thursday, James accompanied by his guards and the gentlemen pensioners proceeded to the chapel and received the sacrament, and on Easter Sunday he was in the like manner attended by the knights of the garter with their collars, and by a great number of the nobility, both as he went, and as he returned to his own apartment¹⁴. The proceeding itself proved nothing more than his attachment to the parade of royalty: but in the minds of many it excited considerable uneasiness: men thought that they discovered in it a design of restoring step by step the public celebration of the catholic worship, and they exhorted each other to watch with jealousy the subsequent conduct of the new monarch, and to hold themselves in readiness to defend on the first aggression the rights of the established church¹⁵.

And dis-
charges recu-
sants from
prison.

There happened at the same time another transaction which served to confirm this impression. The reader will recollect the attempt made in the last year to procure the liberation of

¹³ Fox, App. 46.

¹⁴ It was the custom for the lord who bore the sword, to enter the chapel with the king when the latter communicated, and on that account lord Powis, a catholic, carried it on the first day; on the second it was borne by the duke of Somerset, a protestant, who stopped, according to custom, at the door. But the dukes of Norfolk, Grafton, Richmond, and Northumberland, and many other

noblemen, entered and accompanied the king as far as the gallery. Barillon, 26 et 30 Avril. Fox, App. 47.

¹⁵ Les protestants zélés trouvent fort à redire à cette nouvelle démarche. Ils s'imaginent que l'intention de S. M. B. et d'accoutumer le monde peu à peu à voir la religion catholique dans l'éclat où elle doit être ici, étant la religion du prince. Barillon, 26 Avril. Fox, *ibid*.

the catholics and dissenters detained in prison under the laws of recusancy. In the week before the death of Charles, the question had been brought a second time under the notice of the council, and a second time postponed, that the opinion of the attorney-general might be obtained. But James was not to be checked by the cautious motives which swayed the mind of his brother: he gave it in charge to the judges to discourage prosecutions on matters of religion, and ordered by proclamation the discharge of all persons confined for the refusal of the oaths of allegiance and supremacy. In consequence the dissenters enjoyed a respite from the persecution which they suffered under the conventicle act; and catholics to the amount of some thousands, quakers to the amount of twelve hundred, were liberated from confinement¹⁶.

It has been of late a subject of dispute, whether at this period of his reign the king had formed an intention of restoring the catholic religion to its ancient ascendancy, by making it the religion of the state, or merely sought to relieve its professors from the galling restrictions and barbarous punishments to which they were still subject by law. To me, from his frequent and confidential communications with Barillon, it seems evident, that he limited his views to the accomplishment of two objects, which he called liberty of conscience and freedom of worship, and which, had he been successful, would have benefited, not the catholics only, but every class of religionists. By liberty of conscience he understood the removal of religious tests as qualifications for office; by freedom of worship the abolition of those

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His designs
in favour of
the catholics.

¹⁶ The prosecution of Baxter did not form an exception. He was charged with having preached a seditious sermon, not with any offence under the conventicle act. The proclamation and the number of quakers libe-

rated may be seen in Sewell, ii. 451, 454, 456, 478, edit. 1795. About two hundred of the latter were still detained prisoners for the non-payment of tithes.

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penal and sanguinary inflictions, which had been enacted for the purpose of extinguishing every form of religious service except that of the established church. It is not pretended, that he was led to the attempt by any enlightened views of toleration—though he never hesitated to condemn the persecution of the dissenters—neither was he principally actuated by a vehement zeal for proselytism—a zeal which frequently animates converts to a new religion ;—there existed a much more powerful motive than either of these, his own security : for he had persuaded himself that his throne must necessarily rest on a very precarious foundation, as long as the faith which he professed should form a disqualification for holding office in the state, and the worship which he practised should continue to be prohibited under the penalty of death. To Barillon, acquainted with the fears, and jealousies, and prejudices which agitated the public mind, neither of these objects seemed to be of easy attainment. But the more sanguine disposition of James made light of such difficulties : he rested his hopes of success on the known loyalty of the church of England ; and he suffered himself to be deluded by the professions of attachment to the crown, and of passive obedience to the monarch, which formed the burthen of the addresses from the clergy and universities, ignorant, it would appear, of that which every page of history might have taught him, that great bodies of men will never permit themselves to be swayed by abstract principles, when the actual practice of those principles is opposed to their prepossessions and their interests ¹⁷.

¹⁷ See Fox, App. 19, 33, 45, 69, 104, 106, 107. Barillon, 22 Fev. ; 12 Mars ; 28 Avril. With respect to the contested passage in Barillon's letter of July 16, which in Dal-

rymple is printed "tant qu'elle ne sera pleinment établie," (174), and in Fox "*plus* pleinment," (107), I observe that the reading in Dalrymple is that of the original.

With respect to foreign nations it was to be expected that the new monarch would adhere to that pacific policy which he had advised in the reign of his late brother. He came, indeed, to the throne at a period of continental tranquillity, but tranquillity of that dubious and ill-defined description which is usually the precursor of a storm. Though the conflicting claims, which had grown out of the peace of Nimeguen, had been suspended by a truce for eighteen years, concluded at Ratisbon in the preceding month of August, yet the jealousies and heartburnings kindled by those claims had never ceased to exist. Spain and Holland sought by union among themselves, and by new confederacies with other states, to form a counterpoise against the enormous power of France, and men looked forward with fear to the approaching death of the old king of Spain, as the signal of a new and more sanguinary contest for the succession to his extensive dominions. Under these circumstances Louis deemed it prudent to secure the good-will of the new king of England. He had been negligent in the discharge of his pecuniary obligations to Charles: but the moment he heard of the decease of that monarch, he despatched the sum of 500,000 livres to his ambassador, to be placed at the disposal of James. This act of timely benevolence was gratefully acknowledged by that prince: but it did not satisfy his expectations or his wishes; and his expression of thanks was followed by a demand of the arrears due to his predecessor, and of a similar subsidy for himself during the three following years. Louis was, or affected to be, surprised: he asked no favour from his English brother, and was unable to understand why he should be called upon to furnish money without any prospect of an equivalent in return. Barillon, however, was not discouraged, and the earnestness and adroitness with which that ambassador continued to urge

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His intrigue
with Louis
for money.

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the claim of James, while it does honour to his abilities, provokes a suspicion, or rather conviction, that his services had been purchased by the promise of an adequate remuneration. He employed every argument and every artifice which his ingenuity could suggest. Some reasons he put in the mouth of the king, some he assigned to the English ministers, others he suggested as proceeding from his own attachment to the interests of his sovereign. He exaggerated the wants of James, and the dangers which threatened him, and painted in colours the most likely to attract notice, his designs in support of the catholic faith, and his devotion to the French monarch; he appealed to the pride, the pity, the piety of Louis; remonstrated against his parsimony; persevered in defiance of his displeasure; and even ventured to disobey his commands, till, through dint of importunity, he procured by successive remittances money to the amount of 2,000,000 of livres. Yet out of this sum he was not permitted to pay to James more than the arrears of the pension due to the late king. It was in vain that the ambassador continued to reason and solicit. Louis was inexorable. He reprimanded Barillon for his officiousness; and gave him no other power over the money than to advance a certain portion of it to James, if circumstances should compel that monarch to dissolve the parliament, and defend himself by arms against his rebellious subjects¹⁸.

And the displeasure of that prince.

In fact Louis not only distrusted the ambassador, he became jealous of the real intentions of the English king, to whose pro-

¹⁸ See most of the letters of Barillon published in the appendix to Fox, and particularly those of April 16, May 17, July 16, and those of Louis of July 26, and December 6. From the last of these it appears that Barillon had advanced to James 100,000 livres without

direction from the king. He, however, alleged in his defence, that his hands were not tied at the time: and that he deemed it for the interest of France to yield in so small a matter to the demands of the English ministers. Lettre du 8 Nov.

fessions of attachment he paid little attention as long as those professions were not confirmed by his conduct. James had, indeed, declared that he did not consider himself bound by the treaty between Spain and his brother, and on that account had evaded the applications of the Spanish ambassador by referring him to the ministers. But he was actually in negotiation with the States-General for a renewal of all preceding treaties between the two powers, and had willingly listened to the solicitations of the prince of Orange, who now sought a reconciliation with his uncle. In defiance of the arguments and suggestions of Louis, James accepted his apology for his past conduct, his promise to break off all communication with Monmouth, and his engagement to dismiss from the British regiments in the pay of the States certain officers, whose loyalty the king had reason to question. This reconciliation confirmed Louis in his resolution to keep his treasure safe in the hands of the ambassador. There it might act as a lure to draw the English king to his interest: were it once out of his possession he knew not but that it might be employed against himself¹⁹.

In Scotland, during the last years of the reign of Charles, religious persecution had assumed a new feature. The theological errors of the Cameronians were merged in their political offences: formerly, they had been treated as obdurate and incorrigible sectarists; now, they were regarded in the light of men professing and practising assassination and rebellion. For the first of these charges some ground had been afforded by their express or tacit approbation of the murder of archbishop Sharp: and the second was fully proved by their renunciation of the king's right and authority in the declaration of

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Prosecution
of Scottish
covenanters.

¹⁹ Fox, App. 117—121.

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Sanquhar. The lords of the council, though they must have been aware that the crimes which they punished, had been provoked by their own unjustifiable severity, deemed themselves bound, as depositories of the royal authority, perhaps also by the danger to which they were exposed, to suppress or extirpate this indomitable sect; and for that purpose they had recourse to the usual inflictions of fines, and imprisonment, and torture, and death. Many of their victims gladly exchanged the horrors of a close and loathsome confinement for the service of the planters in Barbadoes; some suffered on the gallows by the hand of the executioner, and others were shot by order of a military commission. The writers of the party have drawn a veil over the weakness of those who concealed or abjured their principles; while they have ostentatiously recorded the names of the principal confessors and martyrs, of those whose constancy refused the offer of liberty when it was to be purchased by renouncing the declaration, or who preferred to forfeit their lives rather than pollute their consciences by uttering the words "God bless the king." At first the accession of James offered the prospect of some alleviation to the miseries of these infatuated people. At his proclamation, indeed, they were admonished, in opposition to their favourite doctrine, that "he was the only righteous king and sovereign over all persons and in all causes, as holding his imperial crown from God alone;" but this was followed by an amnesty to all persons who would consent to take the test, with the exception of the itinerant preachers, of their protectors among the higher classes, and of the murderers of archbishop Sharp, and of the minister of Cairnsphairn. If many accepted, yet many refused this benefit; and the rumour of an approaching invasion by the fugitive marquess of Argyle, added to the severity of the council. The pro-

secutions were continued in the capital: and Graham of Claverhouse displayed his zeal for loyalty and episcopacy by hunting down the conventiclors in the fields, and by putting the most obstinate or most obnoxious of his prisoners to death ²⁰.

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James had summoned the Scottish parliament to meet on an early day. He expected much from the attachment of those friends, whom he had secured during his former residence in Edinburgh, and from the hopes of others, who knew that the royal favour was the shortest road to wealth and authority; and he entertained the expectation that the example of the Scots, would prove a useful stimulus to the more doubtful obsequiousness of the English parliament. This object was honestly avowed in his public letter: and the avowal, being taken as a compliment by the estates, provoked from their gratitude a declaration of abhorrence of "all principles and positions contrary or derogatory to the king's sacred, supreme, sovereign, and absolute power and authority." He asked for the revenue which had been enjoyed by his brother: they annexed the excise to the crown of Scotland for ever, and made him "a dutiful offer" of 260,000*l.* yearly, during his life: he called on them to support the established church (that church, be it remembered, was not presbyterian but episcopalian): and they passed a most barbarous act, not only ratifying all former statutes for the security and liberty of the true church of God, but also imposing the penalty of death on the preachers at the home, and both preachers and hearers at the field conventicles²¹, and compelling the inhabitants of any parish, where a minister should be murdered, to provide for the support of his family according to the discretion of the privy council: he had ex-

Parliament in
Scotland.

²⁰ Wodrow, ii. 397—507.

²¹ Scot. Stat. 1685. c. viii.

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horted them to put down rebels and assassins ; and they enacted that all persons should take the test under the penalty of an arbitrary fine ; made it treason to give or take the two covenants, and to own, or refuse to disown, the apologetic declaration ; declared that in the processes then depending before the justiciary, in cases of treason, or conventicles, or church irregularities, every person refusing to give an answer should be punished as if he were guilty of the crime, respecting which he was interrogated ; and lastly they passed an act of security and indemnity in favour of the privy council, the secret committee, the judges, the military officers, and all commissioners hitherto employed in the prosecution of those who are denominated rebels and assassins. There can be no doubt that in these enactments there was much to reprehend, much that trenched on the rights of the subject, that opened a way to barbarous punishments, and gave encouragement to oppression on the part of the council : in apology it may be observed that they took place at a time when either a hostile armament was at sea, or a civil war was actually raging in the interior of the kingdom ²².

Parliament in
England.

In England the coronation of the king and queen according to the protestant ritual, gave satisfaction to the friends of the church ²³, and the tranquillity with which the elections of members of parliament were conducted, was considered a favourable omen to the new monarch ²⁴. As soon as the necessary

²² Scot. Stat. 1685. Gazette, 2032.

²³ James informed Barillon that he considered this ceremony requisite for the stability of his throne : it might appear strange that he, a catholic, should receive a religious rite from protestant bishops, but there was a precedent furnished by Sigismund III., king of Poland, who, on his accession to the throne of Sweden,

was crowned by the archbishop of Upsal, a Lutheran prelate. He had consulted the pope and the most eminent theologians. Barillon, 8, 19, 22 Mars ; 19 Avril.

²⁴ Here perhaps I ought to notice two remarkable trials. In Hilary term before the death of Charles, Titus Oates had pleaded not guilty to two indictments for perjury : he

forms had been complied with, he addressed the two houses in a short speech which he read leisurely and distinctly from the throne. He had made, he said, a declaration to the privy council on the day of his accession; he now repeated it in parliament, and in the very same words, to show that it was not a hasty promise suddenly called forth by the excitement of the moment, but a fixed purpose, the result of long and mature deliberation. He then stated his expectation, that they would settle on him for life the revenue which had been enjoyed by his brother. Their own judgment would satisfy them that in this he asked for nothing which was not required for the benefit of trade, the support of the navy, the exigences of the crown, and the well being of government, which ought to stand on a sure and stable foundation. To some, perhaps, it might appear more politic to dole out the revenue to him in successive portions, and thus place him under the necessity of calling frequent parliaments. But such persons knew him not: the best way to engage him to meet them often, would be always to use him well. In conclusion he informed them that a body of rebels had lately landed in Scotland under the conduct of Argyle, who had published two declarations charging him

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King's
speech.
May 22.

had sworn that he was present on the 24th of April, 1678, at a consult of the jesuits in London to kill the king, and that he had been present at the commission of treasonable acts by Ireland the jesuit in London between the 8th and 12th of August, and on the 2d of Sept. the same year. At the trials, which took place on the 8th and 9th of May 1685, it was proved, beyond the possibility of doubt, that Oates was at St. Omer on the 24th of April, and that Ireland left London for the country on the 2d of August, and remained there till the 14th of September. He was convicted on both indictments, and the court in passing judgment lamented that he could not be made to suffer death in return for the

innocent blood which he had shed by his perjuries. He was condemned to pay a fine of 1,000 marks on each indictment, to be stripped of his canonical habit, to be twice publicly whipped, and to stand every year of his life five times in the pillory. After the revolution he brought writs of error against these judgments into the house of lords: but the house refused to reverse them. The king, however, at their request, pardoned him the remainder of the punishment, and moreover allowed him a pension of 5*l.* per week in lieu of his pensions granted by Charles II. amounting to 864*l.* per annum. See State Trials, x. 1079—1330.

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with usurpation and tyranny. It would be his care that the invaders should meet with their reward, it would be theirs to support his government, and establish his revenue ²⁵.

By later writers this speech has been subjected to a most rigorous ordeal. It has been considered as an open avowal of the king's contempt for the laws, as a threat that he was prepared to assume arbitrary power, and as a bold attempt to intimidate and silence the advocates of a free constitution. By those who were present, it was heard and understood with very different feelings. They did not conceal their satisfaction. At the close of each period their shouts rent the air; and subsequently both houses waited in a body on the king to express their loyalty and gratitude ²⁶.

Grant of the
revenue.

They began by assuring him of their support against the treasonable projects of Argyle, and by settling the revenue in the manner which he had wished. As he made no claim in virtue of the prerogative, so they abstained from any complaint of his having levied the duties without authority. He told them that the despatch with which they passed the bill was as grateful to him as the bill itself: but in addition circumstances required an immediate aid to provide for the equipment of the navy, the discharge of his brother's debts, and the extraordinary expenses to which he was driven by the rebellion. To James the charge of extravagance had never been objected: he was rather parsimonious in his habits, and had already reformed the extravagance and manners of the court. His wishes were gratified even beyond his demand; and additional duties were laid on wines, vinegar, tobacco, and sugar for eight, and on foreign linens for five years ²⁷.

²⁵ L. Journ. xiv. 9.

²⁶ Evelyn, iii. 159.

²⁷ L. Journ. xiv. 21, 44, 65. "They gave upon the tobacco and sugars threepence,

In both houses there must have been many who in the preceding parliaments had distinguished themselves by their opposition to government, and had voted for the exclusion of James from the throne. But these, whatever they might think, had the prudence to conceal their sentiments. The times were altered; the principles of the Whigs had grown unfashionable; and to come forward in their defence was doubly dangerous at a time when the standard of rebellion was already unfurled in Scotland, and a hostile expedition under the duke of Monmouth was known to be at sea, steering for the shores of England. Still there were not wanting questions of considerable interest, under the cover of which it was possible to carry on a masked opposition to the measures of government. Several of the new charters had restricted the right of voting for members of parliament to certain bodies in the interest of the crown; and it was reported that previous to the recent elections the earl of Bath had repaired to Cornwall with thirteen charters of that description in his possession. By this innovation the influence of the Seymours had been greatly weakened in that county; and Mr. Seymour took an early opportunity, the very first debate on the revenue, to call the attention of the house to that grievance. He maintained that the new charters were illegal and invalid; that the right of election still resided in those to whom it belonged by ancient usage; and that no person returned in opposition to that right could be a lawful member of the lower house. There never was, he observed, a time in which it

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Debates on
new charters.

when sr. Dudley North, the commissioner off the customes and manager ffor the king, asked but three halfpence." Lonsdale, 64. An attempt was made to prove at the bar that the new duty would be prejudicial to the

plantations, " but the king's promise that, if it was found inconvenient to the trade, he would remitt the imposition, was of so much prevalence that the matter was allowed no further debate." Id. 4, 5.

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could be more necessary to watch over the purity of the representation. The laws, the religion of the country were at stake. There existed an intention of abolishing the test, the great bulwark of protestantism, and the writ of habeas corpus, the chief safeguard against arbitrary power. If the crown could control the elections, the liberties of the nation were forfeited for ever. Hence it was his opinion that their first measure should be an inquiry into the returns, that they might determine whether the house, as it was then constituted, could be said fairly and legally to represent the nation. He was heard with surprise, perhaps with secret approbation: but of those who followed in the debate, not one made the remotest allusion to his speech. In the course of the week, however, the subject was again brought forward by sir John Lowther, subsequently viscount Lonsdale, who expressed a hope that after the proof of devotion which the house had given by voting the revenue, the motion which he was about to make would not offend the king, especially as the grievance, the subject of complaint, had not risen in his, but had grown up in his brother's, reign. The compulsory substitution of new for ancient charters amounted in his opinion to a disseizing of the subject of his freehold without a trial; it shook the very foundation of parliament by transferring the choice of representatives to other electors, and was pregnant with such important consequences, as to demand the most serious attention of the house. He concluded by moving for a committee to consider the proper method of applying to the king for a remedy, and received the support of several among the more influential members. But it was then a late hour, and the debate was adjourned for two days, when the king, sending for the house, asked for an additional aid. By this

May 27.

interruption Lowther's motion was made to give way to another question of more immediate urgency, and for reasons of which we are ignorant was never afterwards resumed²⁸.

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On the same day was debated another question of still higher interest, and even more calculated to awaken the angry passions of the members. Under pretence of danger to the church, it had been proposed in the committee for religion to petition the king that all the penal laws against dissenters should be put in immediate execution. Though James had many friends in the committee, the motion met with no opposition. He sent for them the same evening, complained of their timidity, and ordered all the dependents on the court to oppose the resolution. The following morning it was submitted to the house, where, to the surprise of those with whom it originated, it was condemned as an insult to the sovereign, whose word it seemed to call in question, as an attempt to impose on the house, which could not expect the king to punish men for professing the same faith with himself, and as a secret manœuvre to excite, in aid of the rebels, dissension between the sovereign and his people. The friends of the resolution defended it but faintly: it was rejected without a division, and in its place was substituted a declaration that the house relied with perfect security on the solemn promise of the king to defend and support the established church, which was dearer to them than their lives²⁹.

Attempt to
enforce the
penal laws.
May 27.

On these questions the opponents of the court acted openly and fairly: but a more astucious leader devised a new and extraordinary plan of annoyance. Under the mask of attachment to the royal person, he moved that all who had formerly voted for

And to ex-
clude the
ministers.

²⁸ See Journ. May 27, 29. Lonsdale, 5—8. Barillon in Fox, App. 90, 95. Evelyn, iii. 160. Burnet, iii. 38.

²⁹ C. Journ. May 26, 27. Reresby, 198. Fox, App. 95.

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the exclusion of James from the throne, should during his reign be excluded themselves from places of trust and emolument. It was expected that the majority of the house would eagerly snatch at the opportunity of displaying their loyalty, that the dissensions of a former period would be revived, and that the present favourites, Sunderland and Godolphin, who had voted with the exclusionists, would be put on their defence. But these ministers had received notice of the design; they admonished their partisans to be upon the watch; and the moment the proposal was brought forward, it met with so fierce and general an opposition, that its authors suffered it to fall to the ground³⁰.

Votes against
Monmouth.

June 15.

June 17.

June 19.

The landing of the duke of Monmouth on the coast of Dorsetshire appeared to give a new stimulus to the loyalty of the parliament. Monmouth was immediately attainted, and a price set upon his head³¹; an additional supply of 400,000*l.* was granted to the king; and a bill for the greater security of the royal person was prepared. Such bills, arising out of particular circumstances, and making temporary additions to the original statute of treasons, had been passed in the reigns of Elizabeth and Charles II., but had always been attended with some sacrifice of rights on the part of the subject. The present bill seems to have had three objects; to meet the difficulty urged at their trials by Russell and Sydney, and for that purpose to make words and writings overt acts of treason; to intimidate the partisans of Monmouth by enacting penalties against all who

³⁰ Fox, App. 97.

³¹ Burnet says that this bill was passed "on the general report and belief" of Monmouth's having landed; which has given birth to an uninteresting dispute respecting Burnet's veracity between Rose and Heywood. Sir J. Lowther, indeed, seems to

confirm Burnet, in as much as he says, that it was passed without examining witnesses; but both are contradicted by the testimony of the journals, that the two messengers were examined by the council upon oath, and bore witness to the truth of the matter at the bar of the house. C. Journ. June 13.

should pronounce him the legitimate son of Charles II. or the heir to the crown; and to check the licentiousness of the press by disabling all persons from holding office in church or state, who should be convicted of having maliciously and advisedly endeavoured to excite by word or writing hatred or dislike of his majesty or of the government established by law³². Serjeant Maynard forcibly objected to the policy of converting words into treason: it would lead to the punishment of innocence and the commission of perjury: facts must be seen, words might be misunderstood; and the detection of perjury respecting facts was comparatively easy, respecting words difficult and often impossible. Maynard was overruled: but in consequence of his objections two provisoes were added, one, that no writing or teaching in defence of the doctrine or discipline of the established church against popery or other dissenting opinions should be considered an offence within the meaning of the act; the other, that the information should be laid within forty-eight hours after the words spoken, or the fact discovered, that the prosecution should begin within six months after the offence, and that the indictment should follow within the three subsequent months. In this state the bill passed the commons: but the proceedings of Monmouth began to claim the whole attention of government; James requested the members to repair to their homes, and watch over the public tranquillity, and the two houses separated by adjournment, that the bills already in progress might not be lost by a prorogation³³.

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June 26.

June 27.

June 29.

July 2.

³² This act appears to have been the model after which was framed the act of 36 Geo. 3. c. 7. Serjeant Heywood has printed them in parallel columns, p. 238.

³³ Mr. Fox printed the bill in his appendix, 152. See also C. Journ. June 19, 26, 27, 29. Lonsdale, 8, 9. Burnet, iii. 39. Rose,

157. Heywood, 218. Barillon (Fox, 111) says that the proviso respecting preachers was highly displeasing to the king and queen, and that in his (Barillon's) opinion its introduction accelerated the prorogation of parliament.

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Proceedings
in the house
of lords.

May 19.

May 22.

June 6.

June 12.

The house of lords, where James in imitation of his deceased brother was constantly in attendance, displayed its loyalty by joining with eagerness in the different votes and bills transmitted from the commons. On the first day of the sessions the earls of Powis, Danby, and Tyrone, with the lords Arundel and Belasyse made their personal appearance at the bar, and obtained a final discharge. In addition the house rescinded the former order stating that impeachments by the house of commons did not abate by the prorogation or dissolution of parliament³⁴. This was followed by a bill to reverse the attainder of lord viscount Stafford, on the ground that no doubt could any longer exist of his innocence, or of the perjury of Titus Oates. It passed in a very full house, and may be considered as a vindication of his memory by the same persons who had previously pronounced his condemnation. In the commons it was read twice, and committed: but on the day appointed for its consideration, all the committees were adjourned on account of the landing of Monmouth, and no mention was made of it afterwards, owing perhaps to the more important business which occupied the short remainder of the session, perhaps to the reluctance of the house to admit, what the preamble assumed, that the popish plot was wholly an imposture³⁵.

³⁴ The order then rescinded has since been confirmed in the case of Mr. Hastings. We have now decisions of the house of lords that impeachments do abate, and others that they do not abate, in consequence of a dissolution. The latter is at present the law of parliament. The contrary, however, has been the opinion of very eminent lawyers, such as the lord chancellor Nottingham and lord Hale, formerly, and of lord Thurlow and lord Kenyon in the late case of Mr. Hastings; and who can say that it may not at some subsequent period, when party politics run high,

be again adopted?

³⁵ L. Journ. xiv. 17, 22, 28. C. Journ. June 4, 5, 6, 12. This act of justice has lately been accomplished by the reversal of the attainder. During the debates on the continuance of the impeachment of Mr. Hastings, "all parties, however differing in other points, appear to have agreed that Oates's plot was an imposture, and that, to use the language attributed to an eminent law lord in his speech on the question, lord Stafford's execution was a legal murder." Hargrave, Opinion and Argument, p. 147.

From the proceedings in parliament we may now revert to those of the two hostile expeditions under Monmouth and Argyle. During the latter years of Charles many individuals, who had been marked out for prosecution in England and Scotland, found a secure asylum in the united provinces; and of these, the Scottish exiles, as soon as the accession of James was known, assembled in consultation in the town of Rotterdam. The character of their leaders has been faithfully drawn by sir Patrick Hume, one of the number. They were men who looked on themselves as martyrs in the cause of religion and liberty, who gave to the pretended revelations of Titus Oates the credence due to the best authenticated testimony, who never suffered a doubt to rise in their minds of the existence of a popish conspiracy to eradicate the profession of protestantism, and establish as a necessary consequence the sway of arbitrary power both in England and Scotland. The progress of that conspiracy had, indeed, been checked by the executions in 1678 and the subsequent years: but the mystery of iniquity was still working in darkness; it had acquired new facilities of carrying on its design: it was fostered by the indolence or connivance of the king, and by the apathy of the people, "intoxicated by ease from war and taxes and a free course of traffick and trade." The death of Charles was taken by them as a confirmation of these notions. He had most certainly been poisoned by the papists; the same faction had raised his brother James to the throne; and, should that prince have leisure to consolidate his power by raising a military force, religion and liberty would inevitably be banished from the two kingdoms, and not only from them but from every country in Europe, which dared to profess the reformed creed. From such premises they drew the conclusion that no time was to be lost; that an immediate

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Consultation
of the exiles
in Holland.

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opportunity should be offered to the people of England and Scotland, of rallying round the standard of protestantism and freedom, and that the duke of Monmouth and the earl of Argyle, as their natural leaders, should be invited to aid them with their counsel and concurrence. Messengers with these resolutions were instantly despatched to the two chieftains ³⁶.

Who send
for Mon-
mouth.

1. Monmouth, at the death of his father, was still at the Hague, expecting to be recalled to England, and living in the strictest intimacy with the prince and princess of Orange; who, to accommodate themselves to his habits, consented to enliven the gloom and solitude of their court with a round of unusual amusements ³⁷; and, as if they were assured of the secret approbation of Charles, set at defiance the resentment of James and the remonstrances of the ambassador. But on the accession of the new king the prospect was changed. William saw the necessity of propitiating his father-in-law, and Monmouth, after several secret conferences with the favourite Bentinck, withdrew privately to Brussels, where he sought to persuade himself, in the company of his mistress, Henrietta Wentworth, that the quiet enjoyment of a retired life was preferable to the turmoils and disappointments of ambition. But the arrival of the messenger from the exiles dissipated the delusion, and revived his former hopes and projects. He repaired to them at Rotterdam, approved of their plans, offered to risk his life in the common cause, and expressed his readiness either to accompany the

³⁶ See the narrative of sir Patrick Hume, published by Mr. Rose, 5—9.

³⁷ D'Avaux, iv. 105, 106, 109, 113, 120. The most singular thing was, that the prince, to please Monmouth, compelled the princess to learn to skate on the ice. "C'étoit une

chose fort extraordinaire de voir la princesse d'Orange, avec des jupes fort courtes, et à demi retroussées, et des patins de fer à ses piés, apprendre à glisser tantôt sur un pié et tantôt sur un autre." 121.

English to England, or to serve as a volunteer under Argyle in the expedition to Scotland³⁸.

2. Argyle manifested less pliancy of disposition. After his escape to Holland, he had withdrawn from public notice to Leewarden, where he found the means of maintaining an active correspondence with his friends in Scotland, and of making secret preparations to revenge himself at some propitious moment on his enemies in both kingdoms. His English friends had already supplied him with a considerable sum of money, said to be the donation of a rich widow in Holland, and the intelligence of the king's death summoned him to Amsterdam, where he purchased a ship, and arms, and ammunition. Thence he followed the messenger to Rotterdam, not, as he had persuaded himself, to consult, but to command. He explained his preparations to the exiles, bade them commit themselves to his guidance, and proposed to sail without delay to Scotland. He was, however, embarrassed by the presence of Monmouth, of whose pretensions he betrayed considerable jealousy. But the two chieftains met in private, adjusted their respective claims, and agreed that there should be two expeditions, one consisting of English adventurers under Monmouth to land in England, the other of Scots under Argyle to try their fortune in Scotland³⁹.

3. There remained, however, a third party, whose concurrence was necessary, the exiles themselves. They were generally men of republican principles, who felt no particular reverence for the superiority of hereditary rank, nor cared to expose themselves to danger for the mere purpose of setting up one monarch in the place of another. Before they would move,

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And for Argyle.

Their plans arranged.

³⁸ Id. iv. 136. Sir P. Hume, 9, 15. Wellwood, App. 323. Monmouth's letter in Wellwood is written to Spence, the secretary

of the exiles, and appears from its contents to be the answer to their invitation.

³⁹ Sir P. Hume, 9—12, 15—18.

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April 7.

they drew from Monmouth, though he still gave himself out for the legitimate son of his father, a solemn promise not to take the title of king, unless it were advised by his associates as requisite for their common success: and, even in that case to resign it afterwards, and to content himself with such rank, as the nation should judge an adequate reward for his services ⁴⁰. Argyle was more obstinate. He had already, and without their aid, formed a plan of invasion: his birth and exertions gave him, in his opinion, a title to their obedience; and the prediction of an astrologer had dazzled his imagination with indistinct but flattering visions of future greatness. Conferences, disputes, and explanations followed: at last necessity compelled him to submit; and he seated himself at the board as one of twelve counsellors with sir John Cochrane for their præses or chairman. They constituted themselves a supreme council for conducting the enterprize, with authority to add to their number, after their arrival in Scotland; appointing the earl of Argyle general of the army, "with as full power as was usually given to generals by the free states in Europe;" and committed to one of their number the charge of drawing up a declaration of war against James, duke of York ⁴¹.

Argyle sails
from Holland.

In the mean time Monmouth having received strong assurances of support from his adherents in England, pawned his jewels to make the necessary preparations, and Argyle

⁴⁰ Id. 9, 12—14. The English exiles acted in this matter in unison with the Scottish. "He (Monmouth) took deep asseverations in the presence of God, that he intended and would do as he had spoken, and repeated what before is rehearsed, and said he would give the like assurance to the English, as he did very solemnly, whereby his greatest opposers, jealous of him as above-said (who gave

me a full account of the matter, as likewise he himself did afterwards at Amsterdam), were cordially joined to him, and at peace with him." Id. 14. If any credit be due to sir Patrick Hume, Monmouth, instead of joining in the expedition through importunity and against his own judgment, as is sometimes said, promoted it with all his might.

⁴¹ Id. 14—35. Crookshank, ii. 260.

added two more ships to that which he had previously purchased. Each party composed a manifesto adapted to the particular circumstances of the respective countries, which was communicated to the other, and subsequently amended, till it obtained the approbation of both. To preserve the union between them, two Englishmen, Ayloff the lawyer, and Rumbold the maltster, both of Rye-house notoriety, were attached to the Scottish, and two Scots, Fletcher of Saltoun, and Ferguson the minister, to the English expedition. They separated: Monmouth promised to follow within six days, and the Scots, in number about three hundred men, proceeded to their ships in the Texel. It was in vain that the English envoy demanded their arrestation on the faith of treaties: through the connivance of the Dutch authorities they were permitted to pass the Ulie without molestation ⁴².

On the fourth day the adventurers with a fair wind reached Cairston in the Orkneys, where Spence the earl's secretary, and Blackadder the surgeon, were made prisoners by the natives⁴³; an unfortunate occurrence, as it revealed to the council in Edinburgh the strength and the destination of the expedition, and taught them to prepare for the reception of the invaders. A proclamation had already ordered the kingdom to be put in a posture of defence, and hostages for their fidelity had been received from the vassals of Argyle; now bodies of militia and

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April 28.

May 2.

Lands in
Scotland.
May 6.

April 28.

May 7.

May 14.

⁴² Id. 36, 37. They went on board on the 28th of April. One of their ships had already passed the Ulie, but the other two were not ready to sail before the 2d of May. On the 28th Skelton had laid an information before the magistrates, but could obtain no answer before the 30th, when a yacht sailed from Amsterdam with orders to stop the two ships: but the captain kept at a distance, and

reported that they were already under sail, and that one of them had fired on him. Compare D'Avaux, v. 4, with sir P. Hume, 38, 39.

⁴³ For what purpose these gentlemen went on shore is not known. It appears that they had the consent of Argyle; and that the council proposed to land and liberate them by force, but to that the earl objected, and seized the four hostages. Sir P. Hume, 41.

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May 7.

May 11.

May 27.

Marches
towards
Glasgow.

regulars were despatched into the western shires ; several frigates sailed for the isles, and all suspected persons were either imprisoned, or compelled to give security for their loyal behaviour. In the mean time Argyle, taking with him four of the natives as hostages for the lives of the captives, continued his voyage from the Orkneys, and landing in Lorn and afterwards in Cantire, published in both places the declaration, which he brought with him from Holland. It stated at great length, and in most inflammatory language, all the grievances real or imaginary of the reign of Charles II., attributed them to “a conspiracy between popery and tyranny, which had been evidently disclosed by the cutting off of the late king, and the ascending of the duke of York to the throne,” pronounced that prince incapable of giving the security indispensibly required of him before his entry on the government, and declared that their object was the restoration of the true protestant religion, “the perpetual exclusion of popery, of its most bitter root and offspring prelacy, and of its new and wicked head the supremacy,” and the replacing of all men in their just-rights and liberties ; that they would never enter into capitulation or treaty with the said duke of York, and would indemnify all persons, even their former enemies, who should assist them against a persecuting tyrant, and an apostate party. At Tarbet he published a second declaration, displaying his own wrongs, his former patience under oppression, and the reason of his present appearance in arms, and sent messengers with the fiery cross in all directions to summon his former vassals to the aid of their natural lord ⁴⁴.

It would exhaust the patience of the reader to detail the

⁴⁴ Ibid. 40—46. Dalrymple, 127. Wodrow, ii. 531, 532. App. 152, 155. State Trials, xi. 1025, note.

subsequent particulars of this ill-concerted and ill-fated expedition. Few were found to rally round the boasted standard of religion and liberty: the Cameronians, though they renewed their renunciation of the government of James, could not in conscience support a cause owned by men of a different interest from their own: and each day was marked by new disappointments, and new causes of dissension between the earl and his associates. *He* relied on the attachment of his clansmen in the highlands; the council on the deep resentment and more obstinate character of the lowlanders; he sought to clear his own country of the enemy, they demanded to be led into the western counties, which had so long been the theatre of religious persecution. The controversy was determined by the appearance of a hostile fleet on the coast; and Argyle, having piloted his vessels through the narrows, and left his stores with a garrison of one hundred and fifty men in the castle of Ellengreg, departed with the rest of his force, intending to fight his way to the city of Glasgow. At high water the king's ships under sir Thomas Hamilton passed in safety between the rocks; the garrison fled before a single gun had been fired; and the vessels of the invaders, the four hostages, five thousand stand of arms, three hundred barrels of powder, and the earl's standard with the inscription "against popery, prelacy, and Erastianism," fell into the hands of the royalists⁴⁵.

The next day Argyle with his associates passed the Leven: but wherever he directed his march, he found himself opposed or followed by strong bodies of regulars and militia. Driven from the direct road, he attempted to thread his way among the hills and morasses; but his followers deserted him; his force

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June 10.

June 15.

Is made
prisoner.
June 16.

⁴⁵ Ibid. 46—56. Gazette, No. 2044. Barillon, 2 Juillet.

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June 17.

dwindled from two thousand to five hundred men ; and during the darkness of the night, Argyle himself, either by his own counsel or the suggestion of his friends, deemed it prudent to withdraw. Accompanied by Fullarton, he crossed the Clyde, but was overtaken and made prisoner at the water of the ford of Inchanan. Of the men, whom he had abandoned, about one hundred, the volunteers from Holland, resumed their march, passed the Clyde in boats, and maintained a sharp skirmish with the royalists at Luton-bridge. Here they heard of the capture of their leader, and, despairing of success, fled during the night in various directions. Thus ended this unfortunate expedition ⁴⁶.

And suffers
death.

June 20.

Thirty-five years before (so it was reported) Argyle from a private window in Edinburgh had gratified his revenge with the sight of the indignities heaped on the unfortunate marquess of Montrose. It was now his doom to meet with a similar reception. Bareheaded, with his hands tied behind him, and preceded by the hangman, he was made to pass under the same gate, and through the same streets, to the castle. The judgment pronounced on him in 1681 was still in force, and the council waited only for the royal permission to put it in execution. His conduct as an insurrectionary leader had been marked by want of judgment and decision : but as a prisoner under a capital sentence, he displayed a serenity and firmness of mind, which extorted the praise of his bitterest enemies. Of the lawfulness of his late attempt he cherished a firm conviction : it was justified by the recollection of the wrongs which he had suffered, and by the prospect of the calamities which to his

⁴⁶ Ibid. 56—67. Wodrow, ii. 533—537. Gazette, 2045. Barillon, 5 Juillet. Wodrow pretends that Argyle was deserted by his

men : sir P. Hume, who gives a very circumstantial detail, assures us that he deserted them.

apprehension the reign of James would inflict on the three kingdoms; and the cause, in which he was about to lay down his life, was, he could not doubt it, the cause of his country. Nerved by these considerations, he mounted the scaffold with the high feelings of a martyr, forgave all his enemies, and uttered with his last breath an indignant testimony against "popery and prelacy and all superstition whatsoever ⁴⁷."

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Among his fellow captives the principal were his two sons, sir John Cochrane, and Ayloffie and Rumbold. His sons were banished; Cochrane by an ingenuous confession to the king obtained his pardon; but Ayloffie's obstinacy or fidelity was proof against the offer of life, and, after a fruitless attempt at suicide, he suffered in England the death of a traitor. Rumbold, who had served as a private in the parliamentary army, and as an officer under Cromwell, was brought before the court of judiciary, where he indignantly denied the first part of the charge against him, that he had conspired the death of Charles II. and his brother at the Rye-house farm, but acknowledged the second part, that he had been the associate of Argyle in his late attempt. He received judgment, and was executed the same afternoon ⁴⁸.

Other execu-
tions.

June 26.

Monmouth had engaged to follow Argyle in the course of six days; yet three weeks elapsed before he left Amsterdam, a whole month before he joined the expedition riding at the

Monmouth
sails from
Holland.
May 24.

⁴⁷ Wodrow, ii. 538—545.

⁴⁸ See Burnet, iii. 29. State Trials, xi. 874. Fox, App. 156. Wodrow, ii. 552, 556. From all authorities it is plain that he denied the Rye-house plot before his judges, and, if we may believe the Western Martyrology, he repeated that denial on the scaffold. But the Western Martyrology is not the best of vouchers; and the fact is hardly consistent with the silence of Wodrow and Fountainhall. Indeed the very denial attributed to

him shows that there was something in the charge. "He did not deny but that he had heard many propositions at West's chambers, about killing the two brothers, and upon that he said it could have been easily executed near his house; upon which some discourse had followed how it might have been managed: but he said it was only talk, and that nothing was either laid, or so much as resolved on." Crookshank, ii. 291.

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mouth of the Texel. It consisted of a frigate of thirty-two guns, with four small tenders, of which one was detained by the Dutch authorities, and of eighty exiles, accompanied by an equal number of servants or followers. With this inconsiderable force the unfortunate adventurer undertook to win the crowns of three kingdoms; but his hopes were buoyed up with the expectation that multitudes would hasten to his standard; and under this persuasion he carried with him, instead of soldiers, equipments for an army of cavalry and infantry to the amount of five thousand men ⁴⁹.

Lands at
Lyme.

June 11.

Publishes his
declaration.

The boisterous state of the weather had relaxed the vigilance of the royal cruisers; and Monmouth seized a favourable moment to set sail, stole unobserved down the Channel, and on the 11th of June appeared in front of the small port of Lyme in Dorsetshire. The moment he landed on the beach he offered on his knees a fervent prayer for the success of the enterprize, and then, drawing his sword, marched at the head of his followers, into the town. The mayor and principal inhabitants had fled; but the lower classes were summoned round a blue flag planted in the market-place, where they listened to "the declaration of James, duke of Monmouth, and the noblemen, gentlemen, and others in arms for the defence and vindication of the protestant religion, and the laws, rights, and privileges of England." In this instrument, the tone and acrimony of which betrayed its real author, Ferguson the minister, James is pronounced an usurper, and therefore designated by his former title of duke of York; the whole course of his life is described as "one continued conspiracy against the reformed religion and the rights of the nation;" and to him are attributed the

⁴⁹ C. Journ. June 15. Barillon, 23 Juin.

burning of London, the confederacy against the protestant state of Holland, the support of the popish plot, the murder of Godfrey, the subornation of witnesses to swear away the lives of the patriots, the assassination of the earl of Essex, and of those who were privy to that assassination, and the dissolution of several succeeding parliaments, that they might not bring him to justice, and make him suffer the punishment due to these crimes. From his offences during the life of the late king, the declaration passes to those which he committed, “after he had snatched the crown from the head of his brother.” He had authorized the practice of idolatry, he had invaded the property of every Englishman by levying taxes without authority, he had polluted the fountains of justice by placing on the bench men who were a scandal to the bar, he had packed juries, had granted illegal charters, and had converted the fences against tyranny into the means of establishing despotism. On all these accounts the duke of Monmouth and his associates declare war against him as a murderer, a traitor, and a tyrant, and engage never to admit of any accommodation with him, but to continue the war till they shall have brought him and all his adherents to condign punishment.

It then proceeds to describe the object of the invaders. They intend to establish the protestant religion “beyond all probability of its being supplanted,” to abolish all penal laws against protestant dissenters, and all sanguinary laws against any religionists whatsoever, to procure annual parliaments, which cannot be dissolved, or prorogued, or adjourned, before petitions have been answered and grievances redressed, to have upright judges, holding their places during their good behaviour, and subject to the approbation of parliament, to restore the ancient charters, to repeal the militia and corporation acts, to

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place the choice of sheriffs in the freeholders of the counties, and to allow no standing army but by the authority of parliament.

In conclusion it charges the king with having, in order to expedite the idolatrous and bloody designs of the papists, to gratify his own boundless ambition, and to prevent all inquiry into the murder of the earl of Essex, poisoned his late brother, a brother who loved him so as to endanger his own crown to save him from punishment: wherefore the duke of Monmouth, in revenge of the horrid and barbarous parricide committed upon his father, will pursue the said James duke of York as a mortal and bloody enemy, and will endeavour to have justice executed upon him. Not that Monmouth doth at present insist on his own title—that he leaves to the wisdom, justice, and authority of parliament—but he acts as head and captain-general of the protestant forces of the kingdom, and in that quality he promises to promote the passing into laws of all the improvements previously mentioned, that it may never more be in the power of a single man to subvert the rights and liberties of the people⁵⁰.

Meets with
little encourage-
ment.

When Monmouth published this declaration, so intemperate in its language, so slanderous in its assertions, he must have been intoxicated with the assurance of success, or have made up his mind to conquer or die. From the king it is evident that after such wanton and bitter provocation he could expect no mercy. Neither was it calculated to make a favourable impression on the public. The falsehood and enormity of many of the charges shocked the feelings of considerate men: the liberty offered to dissenters and the allusion to his own claim united

⁵⁰ See it in Somers, Tracts, iv. Collect. tom. ii. p. 190. State Trials, xi. 1032.

against him the friends of the established church and those of hereditary descent; and the notion that he aspired to the crown, a notion which his affected moderation served rather to confirm than discountenance, taught thousands to stand aloof, whom their predilection for a commonwealth would otherwise have collected round his banners. Not a nobleman, not a gentleman of interest or opulence openly ventured to declare in his favour. But the religious and political prejudices of the populace were excited: they crowded to offer their services; arms were distributed, companies formed, and officers appointed; and on the fourth day Monmouth marched from Lyme at the head of four regiments, amounting in all to more than three thousand men.

Previously, however, two events had happened, calculated to make him think seriously on the want of discipline and subordination among his followers. 1. The two men, on whose immediate services he chiefly relied, were Fletcher of Saltoun in Scotland, and Dare of Taunton in Somersetshire. The intrepidity of Fletcher had been proved in several encounters, the superiority of his military knowledge was universally acknowledged. Dare had once been a goldsmith at Taunton; afterwards, in quality of a broker at Amsterdam, he had conducted the correspondence between the malcontents in both countries; and now he held the offices of secretary and paymaster, and had proved his influence among his countrymen by inducing forty horsemen to join the army the next day. It happened that Dare made his appearance at their head on a beautiful and spirited charger, better adapted in the opinion of Fletcher for the use of a military officer than of a civilian. The Scot seized and claimed the horse: the secretary resisted, and in the struggle was shot with a pistol through the head. The new levies instantly assembled, and demanded the punishment of the assassin;

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June 15.

Loses Fletcher and Dare.

June 13.

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and Monmouth, to screen him from their vengeance, placed Fletcher under arrest, sent him on board one of his vessels, and ordered the captain to sail to the coast of Spain. This untoward occurrence was a subject of regret and a source of misfortune to the duke; it deprived him both of the only officer to whom he could safely trust the military command, and of a man who possessed the most extensive influence among the lower classes of the natives ⁵¹.

June 14. 2. A body of four hundred men under the command of lord Grey, was ordered to drive the militia out of the neighbouring town of Bridport. They surprised the bridge at the entrance, and pushed through the long street, till two men fell from a volley of musketry. Grey with the cavalry instantly fled; Venner, who commanded the foot, followed their example, and the panic instantly spread through the whole force. By the spirited conduct of major Wade, who repeatedly turned on the pursuers, the retreat was effected with inconsiderable loss: but the skirmish proved to the conviction of the duke that little reliance was to be placed on the military prowess of lord Grey, or on the steadiness of men, unused to the casualties of a field of battle ⁵².

Takes the
title of king.

In no part of England had the fanatical and anti-monarchical principles, which prevailed under the commonwealth, taken deeper root than in Dorsetshire and Devonshire. If their growth had been checked by the restoration, they were still kept alive by religious persecution; and it was well known that the great body of the inhabitants, a hardy and turbulent race, cherished a strong antipathy to the existing government, and

⁵¹ Wade, in Miscellaneous State Papers, ii. 317. Heywood, App. 29. Monmouth's vessels which remained at Lyme were taken

by some frigates, with a great number of cuirasses. Barillon, 5 Juillet.

⁵² Wade, *ibid.* 317—321. Dalrymple, 129.

were ready to rise at the call of any man, who should profess to fight the battle of the lord against popery and arbitrary power. Hence it was to them that the council of six in the last reign had looked for their principal support in the event of an insurrection, and among them that Monmouth had now determined to seek an army of resolute and enthusiastic followers. From Lyme he hastened to Taunton, a rich and populous town, where he was received with loud acclamations as the saviour of the country. The inhabitants presented him with a stand of colours richly embroidered; twenty young maidens, in their gayest attire, came in procession to offer him a naked sword and a pocket bible, and the duke assured them in return, that his chief object was to defend the truths contained in that sacred book, and to seal them, if it were necessary, with his blood. But this flattering reception revived his ambition, and he began to feel uneasy under the promise which had been extorted from him at Rotterdam, and which he had so recently published in his declaration. It was asked in council whether, considering all the circumstances, it were not expedient and necessary that he should assume the insignia of royalty; the republicans found themselves outvoted by his favourites and flatterers; and the adventurer took on himself by solemn proclamation the title of king James II. Nor did he delay to exercise his new powers. He touched children for the evil, declared the duke of Albemarle, who lay with a body of militia at a short distance, a traitor⁵³, pronounced the two houses of parliament, unless they should disperse within ten days, seditious assemblies, ordered the customs and excise to be levied

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June 18.

June 20.

⁵³ See the papers which passed between them in Mr. Ellis's First Series of Original Letters. iii. 340. Also Dalrymple, 131.

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Preparations
of James.

for his service, and set a price on the head of the usurper of the crown, James duke of York ⁵⁴.

That prince, though cheered by the votes of parliament, was not without strong grounds of disquietude. He dared not trust the decision of the contest to the militia of the counties, whose fidelity was as doubtful, as their inexperience was certain: of the regular force, which in the whole kingdom did not exceed five thousand men, a great portion was required to awe the metropolis, in which it was supposed that Monmouth had a considerable party, and where two hundred suspected persons were placed under arrest as a measure of precaution; and in the three Scottish regiments, which were sent to his assistance by the States, it was discovered that many of the officers had been previously seduced from their allegiance by the exiles. Unable for the moment to arrest the progress of his opponent, he gave the command to lord Feversham, with instructions not to hazard a battle without a regular force; ordered the bodies of militia to surround the enemy at convenient distances, to check his motions, and to intercept his supplies; and gave the Scottish regiments to understand that, as soon as they had recovered from the fatigue of their journey, they should proceed to the defence of their own country ⁵⁵.

Despair of
Monmouth.

Monmouth, on the other hand, reaped no benefit from the assumption of royalty. Though he roamed about the country, no person of quality offered his services; his friends in the capital and the country remained quiet; Bath and Bristol refused to admit him within their gates; and if the militia constantly retired before

⁵⁴ There have been many disputes respecting the origin of this measure. I think it plain from Wade (322, 323), that it came from Monmouth himself, and was advocated

by lord Grey and Ferguson.

⁵⁵ Fox, App. 113. Barillon, 25, 28 Juin, 9 Juillet.

him, yet his rear was as constantly pressed by several squadrons of cavalry. Despondency succeeded to confidence; he became fretful, melancholy, and indolent; and, when he received the news of the fate of Argyle, exclaimed that his last hope was gone. In an agony of despair he proposed to the principal officers to desert their followers in the night, ride to the nearest sea-port, seize on a boat, and commit themselves to the mercy of the winds and waves. But from this unworthy counsel he was diverted by the spirited expostulation of lord Grey, who, whatever he might be in the field, showed no want of energy in the cabinet. After several contradictory resolutions it was resolved to cross the Avon at Keynsham-bridge, the Severn at Gloucester, and to march along the right bank of the last river till they should be joined by their friends from Cheshire: but Venner and Mason, two of his most distinguished partisans, dissenting from this advice, and conceiving themselves released from their obligations to him, made their escape⁵⁶.

The duke still lay at Bridgewater, when the royal army reached Somerton. Not a moment was lost, and his men were already filing out of the town, when additional news arrived that Feversham had quartered his cavalry, five hundred strong, in the village of Weston, and had encamped his infantry to the amount of two thousand regulars on Sedgemoor. It thus became doubtful whether he could reach Keynsham before his opponents, and a resolution was taken to surprise the royal camp during the night. Having distributed a considerable quantity of liquor among his troops, he led them from Bridgewater by a circuitous route to avoid the patrols on the road, and reached the edge of the moor about one in the morning. But his

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A. D. 1685.

June 27.

Battle of
Sedgemoor.
July 5.

⁵⁶ Wade, 327.

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July 6.

arrival was soon discovered, and the alarm given; lord Grey, with five squadrons of horse, pushed forward to burst without delay into the camp; but their advance was suddenly arrested by a broad ditch lined on the opposite bank with the royal infantry; and, as they rode along the margin to discover a passage, a few volleys compelled them to wheel to the right; when, after a skirmish in the dark with their own men, this body of cavalry was totally dispersed⁵⁷. Another body of three squadrons under colonel Jones had followed the first. They made a gallant attempt to force the passage of the ditch, but were repulsed and formed again at a distance. Monmouth, as soon as the action began, ordered the foot to advance with the utmost expedition: they halted at the distance of eighty paces from the enemy, and continued to fire for a considerable time, though they were answered only by the royal artillery. In the meanwhile Feversham had brought the cavalry from Weston and posted them on the right flank of the enemy. The moment it became light, he ordered the infantry to cross the ditch; the cavalry charged at the same time; the insurgents, after a short resistance with scythes and the but-ends of their muskets, were broken; and the moor was covered with scattered parties of runaways and pursuers in every direction. The victors lost three hundred men in killed and wounded: of the vanquished five hundred fell on the field, and thrice that number were made prisoners⁵⁸.

⁵⁷ It was alleged that Monmouth and his followers knew not of the existence of the ditch. This I think doubtful: at all events it is plain from Paschull's account that it was passable in different parts, and we find that the royal infantry actually passed it in face of the enemy to charge them.

⁵⁸ I have given the best account I could

collect of this battle from the official papers in Haynes, ii. 305—314. Wade, *ibid.* 329. Paschull in Heywood, App. 29, 37, 40, 41, 43. Barillon, 9 Juillet. Dalrymple, 132, 134. James, ii. 30. Burnet, iii. 48. Echard, 1065; and Evelyn, who says that most of the slain were Mendip miners, iii. 164.

It might have been expected that Monmouth, aware of the doom which must be his lot, if he fell into the hands of his enemies, would have preferred to perish in the company of the brave men whom he had induced to risk their lives in his cause. But he was already several miles from the field of battle. Under the persuasion that his followers, however numerous, were unable to cope with a disciplined force, he had placed all his hope of success in the confusion which might be created by a nocturnal surprise: and the moment he learned from lord Grey that the royalists were on their guard, and had repulsed the cavalry, he left the army under the covert of darkness, and in the company of Grey and Busse, an officer formerly in the service of the elector of Brandenburg, proceeded at full gallop along the road leading to the north. From the summit of an eminence they turned to take a last view of the field, witnessed the sanguinary defeat of their adherents, and, resuming their pace, hastened to the Mendip-hills, where they disguised their persons and turned towards the New Forest in the hope of procuring on that coast some conveyance beyond the sea. On Cranborn Chase they quitted their horses, and, letting them loose, proceeded on foot. But the result of the action at Sedgemoor was already known; and parties of cavalry from Kingwood and Pool were scouring the country to prevent the escape of the fugitives. Early in the morning lord Grey and the guide were made prisoners at the junction of two cross roads: Monmouth and Busse had time to burst through a hedge, and conceal themselves in the fields: but they had been seen by a woman, who gave information; lord Lumley and colonel Portman, the commanding officers, agreed to divide the reward, 5000*l.*, between their respective parties; a line of sentinels was drawn in a circle round the spot; and the rest of the men were employed to beat

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Capture of
Monmouth
and Grey.

July 7.

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July 8.

Monmouth
writes to
James.

the enclosures. During the remainder of the day the two fugitives eluded the search of the pursuers : but at five the next morning the Brandenburgher was taken, who owned that he had parted from the duke only four hours before. At seven, Monmouth himself was discovered, lying in a ditch, and covered with fern. The captors conducted him to Kingwood, whence, after two days' repose, he was removed to the capital ⁵⁹.

From the timidity of Monmouth in the field it could not be expected that he would face with steadiness the death, which now awaited him on the scaffold. By the act of attainder he was already condemned, and could have no hope of life but from the pity or generosity of the king. But what claim had he on that prince ? Twenty months had not elapsed since he had obtained the pardon of James on a solemn promise to be the first to draw the sword in defence of his rights : and yet he had ungratefully levied an army against him, had set the crown on his own head, had publicly declared the king a murderer, a tyrant, and an usurper, and had announced to the world that on account of his crimes he would pursue him to the death. Still in the face of this provocation the love of life taught him not to despair, and from Kingwood he wrote to James a supplicatory letter, expressing his deep remorse for his ingratitude and rebellion, attributing the blame to the counsels of "false and horrid" companions ; and soliciting the favour of a personal interview, as much for the king's sake as for his own. He had that to reveal which he could not commit to paper, that which would secure to the monarch a long and happy reign. A single word, did he dare write it, would be sufficient to prove his repentance for the past, and his loyalty for the future. To this letter he

⁵⁹ Account of the Manner of Taking the late Duke of Monmouth. Harleian Miscellany, vi. 321. Gazette, 2058.

added two others of similar import, one to Rochester, the favourite minister, and another to the queen dowager, who had repeatedly interceded in his favour with the last sovereign ⁶⁰.

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Monmouth, on his arrival in London, was conducted, in company with Grey, to the apartment of Chiffinch at Whitehall. After dinner, having his arms loosely tied behind him, he was introduced to the king, who received him in the presence of Sunderland and Middleton, the two secretaries of state. He threw himself on his knees, and implored forgiveness in the most passionate terms: but to James his protestations of remorse and attachment appeared too vehement and extravagant to deserve credit, and his solicitations for life too abject for one who boasted of royal blood in his veins, and had undertaken to act the part of a king. In extenuation of his offence he urged that he had been deceived by messages from England, and by the advice of the exiles in Holland, on whom he liberally bestowed the appellation of rogues and villains. The declaration had been composed by Ferguson, and the royal title had been forced upon him against his own judgment and inclination. This he said in general: what particular information he communicated, did not transpire; but so much is certain, that he made no disclosure answerable to the pretensions set forth in his letter. He then threw himself a second time on his knees, supplicating for mercy; but James replied, that by usurping the title of king he had rendered himself incapable of pardon; and, reminding him of his early education under the Oratorians in Paris, requested to know if he wished for the aid of a catholic priest. Monmouth instantly asked, was there then no hope? but the king was silent, and lord Dartmouth received orders to

His interview
with the king.
July 13.

⁶⁰ State Trials, xi. 1072, note. Clar. Corresp. i. 143. Ellis, iii. 343. Barillon, 23 Juillet. See note (C).

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conduct him to the Tower. In the carriage he implored the protection of that nobleman, offered to accept of life on any terms, threw the blame of his usurpation on every one but himself, and betrayed a meanness of spirit, which excited pity and surprise⁶¹.

The interview with Monmouth has subjected the king to much severe, but perhaps unmerited, censure. He has been accused of want of feeling in consenting to behold a nephew on his knees with a predetermination not to grant him mercy, and of cruelty in adding to the sufferings of his victim by exciting hopes which he was resolved to disappoint. But his predetermination to refuse the prayer of the criminal has been assumed without any proof: and the interview itself was not of the king's seeking; it was reluctantly granted by him as a favour to the prayers of Monmouth, and of Monmouth's intercessors, and on the representation that the disclosures to be made by the prisoner would on account of their superior importance cancel his crimes of treason and usurpation. In such circumstances the refusal of the interview might with greater reason have been adduced as a proof of cruelty. As to the alleged relationship of uncle and nephew, it could not operate with much force on the mind of a prince, who disputed the history of Monmouth's birth. Lucy Barlow had other lovers at the Hague in addition to Charles Stuart; and it was the

⁶¹ James, ii. 36, 40. Reresby, 212. Dalrymple, 134. Barillon, 23 Juillet. Rose, App. 65. Mazure, ii. 8. These authorities show that no credit is due to the account of this interview in Kennet.—Of Monmouth's discourse with lord Dartmouth in the carriage as they proceeded to the Tower, this statement is given by the son of that nobleman:—"Monmouth pressed him in a most indecent manner to intercede once more with the king

for his life on any terms. My father said the king had told him the truth, which was, that he had made it impracticable to save his life, by having declared himself king. That's my misfortune, said he, and those that put me upon it will fare better themselves; and then told him that lord Grey had threatened to leave him on his first landing if he did not do it." Burnet, iii. 51, note.

belief, not only of James but of many besides James, that the real father of her child was colonel Robert Sydney ⁶².

On the removal of Monmouth, Grey was introduced. His manner and language offered a striking contrast to that of the leader, whom he had followed. His behaviour to the king was respectful, and his answers to the royal questions were delivered with modesty and firmness: but he made no disclosure, and asked for no favour. James himself could not abstain from allowing him the praise of resolution. Monmouth received notice to prepare for death within forty-eight hours: Grey, who had not been attainted, was reserved for trial according to the due course of law ⁶³.

The first person who visited the duke in the Tower was his wife, in company with the lord privy seal, the earl of Clarendon. Few persons thought that she could feel any lively interest in the welfare of a husband who, though she had brought him a princely fortune, had always treated her with neglect, and for the two last years had deserted her for a rival, Henrietta Wentworth. But she deemed it her duty to preserve the inheritance of the Buccleugh family for her children, and with that view was anxious to prove to the king that she had no participation in the treason of her lord. Monmouth received her coldly, but improved the opportunity to plead his cause with lord Clarendon in the same manner as he had so recently done with lord Dartmouth. Clarendon replied that the sole object of their visit was to afford him the opportunity of speaking, in private if he wished it, with the duchess: that to excuse himself by accusing his advisers, was useless. The plea had been once admitted, and he had been pardoned. He could not expect the same

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He is followed by lord Grey.

The duchess visits Monmouth.

⁶² James, i. 491. Evelyn, iii. 168. Macpherson, i. 77.

⁶³ Dalrymple, 134. Barillon, 26 Juillet.

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result a second time. Monmouth, however, persisted in the use of similar arguments till he was interrupted by the duchess inquiring, whether she had ever received any information from him respecting his late attempt, or had ever approved of his political conduct for some years, or had ever given him occasion of displeasure on any question, except it were his attention to other women, and his disobedience to the late king. He replied that he had found her a loving and dutiful consort, had no charge to make against her as wife, mother, or subject, and had been frequently advised by her to pay greater deference than he had done, to the commands of his deceased father ⁶⁴.

He solicits
again for
mercy.

July 14.

After their departure the unfortunate prisoner continued to delude himself with the hope of saving his life, and spent the night in devising plans to move the pity, or subdue the resolution of the king. In the morning he despatched letters or messages to James ⁶⁵, to the queen regnant, to the queen dowager, and to the lords Annandale, Dover, Tyrconnel, and Arundel. He offered to profess himself a catholic; he solicited a second interview with the king; he prayed at least for a respite of a few days; a petition which might naturally arise from his love of life, but which was attributed to his faith in the prediction of an astrologer, that if he should survive the feast of St. Swithin (the next day), he should live afterwards many years. But these efforts were fruitless. Lord Feversham came, indeed, to receive

⁶⁴ See the account of this interview in the Buccleugh MS. published by Mr. Rose, App. p. 65. From its contents I collect that the object of the duchess was such as I have represented it in the text. Barillon says that their language was "*assez aigre de part et autre, et qu'il ne lui parla qu'avec dédain*" (Barillon, 26 Juillet; Dalrymple, 168); expressions much too strong, unless their aspe-

city has been softened in the MS. Evelyn (Diary, iii. 167) and Burnet (iii. 50) say that they treated each other coldly. James (ii. 37) adds that when he was first told of the wish of the duchess to see him, he disowned her, instead of saying that she might be introduced.

⁶⁵ The letter to the king has been published by Mr. Ellis, first series, iii. 346.

his communication for the king ; but it proved a mere repetition of his discourse of the preceding day, and the bishops of Ely and Bath and Wells soon afterwards arrived to prepare him for death on the following morning⁶⁶. At the announcement he seemed lost in an agony of terror : but the struggle was quickly over : the very absence of hope restored the serenity of his mind ; and from that moment he was able to look death in the face with an air of composure which assumed almost the appearance of indifference.

It was not long before the two prelates discovered, that they had undertaken no very grateful task. Monmouth had imbibed opinions which shocked their orthodoxy, and adhered to them with a pertinacity which embarrassed their zeal. They considered the profession of the doctrine of passive obedience an indispensable test of adhesion to the church of England : he strenuously maintained the lawfulness of resistance to authority in cases of oppression. They looked upon him as guilty of the sin of rebellion, and responsible for the blood which had been shed in his quarrel : he denied that there was anything sinful in the attempt, though he should certainly feel regret if it had occasioned the loss of a single soul among the men who perished on his account. They called on him to repent of his adulterous connection with lady Harriet Wentworth : he replied that his union with that lady (though she had already borne him a child⁶⁷) was innocent in the sight of heaven. He had, indeed, married the

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Disputes
with the
bishops.

⁶⁶ Burnet, iii. 51. James (Memoirs), ii. 40. Reresby, 213. "My uncle," says lord Dartmouth, "showed me several charms that were tied about him when he was taken ; and his table-book was full of astrological figures, which nobody could understand. He told my uncle that they had been given him some years before in Scotland, but said he now

found they were but foolish conceits." Burnet, iii. 51, note. Barillon says that in the book il y avoit des secrets de magie et d'enchantment avec des chansons, des recettes pour des maladies, et des prières. Mazure, ii. 9. Barillon, 26 Juillet.

⁶⁷ "Dont il a un enfant." Barillon, 26 Juillet.

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heiress of Buccleugh: but he was then too young to understand the nature of the contract; and the consequence of this premature union was, that for several years he indulged without restraint in every vicious gratification. At length he saw the lady Harriet. He loved, and was loved by her: both prayed that God would root out this mutual affection, if it were displeasing to him. But it continued to grow: its growth was to them a proof of the divine approbation; and from that moment he sought by prayer and fasting to obtain the mastery over his passions, and carefully abstained from all commerce with other women. The lady Harriet was his real, the duchess of Monmouth nothing more than his legal, wife. Unable to convince him of his error, they refused to administer the sacrament, and with difficulty obtained from him a promise to recommend the matter to God during the night, and to pray that his mind might be enlightened by the Holy Spirit.

Is visited
again by the
duchess.
July 15.

The next morning he was visited at his request, and with the royal permission, by Dr. Hooper, afterwards bishop of Bath and Wells, and by Dr. Tennison, afterwards archbishop of Canterbury. These divines concurred in doctrine with the two prelates: but Monmouth had prayed: no change of sentiment followed his prayer; and on that account he was still more confirmed in his former opinions. His children by the duchess, who for precaution had been sent to the Tower when their father took the title of king, were now introduced, and were followed by that lady herself, whom he received with a greater show of kindness than on her former visit. He repeated what he had previously said in her praise, acknowledged that for the last year she had held no correspondence with him even by letter, and begged her to forgive his failings, and continue her kindness to their children. At these words she sunk to the

ground, embraced his knees, and requested him to pardon her, if she had given him just cause of offence. But her frame was too delicate to support the poignancy of her feelings, and she was carried away senseless in the arms of her attendants. "Noe bystanders," says the author of the narrative, "could see this, the mourningest scene in the world, without melting in tears : he (Monmouth) did not show the least concernedness."

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At ten the prisoner was conducted to the place of execution on Tower-hill. On the scaffold his reverend and right reverend assistants renewed their exhortations with an importunity, which, though it arose from a sense of duty, appeared to many to savour of hard-heartedness. They extorted from him an acknowledgment of sorrow for the blood which had been shed, and prevailed on him after some demur to utter a tardy and reluctant *amen* to the prayer for the king : but on the two other subjects, the doctrine of non-resistance, and the lawfulness of his connection with Harriet Wentworth, he retained his former opinion. The only speech which he had prepared was in defence of that lady. He declared that she was "a woman of virtue and honour, a virtuous and godly woman : that he had committed no sin with her, and that what had passed between them was honest and innocent in the sight of God." While he undressed, the four divines prayed, but in terms which indicated their opinion of his spiritual blindness, "that God would accept his repentance—his imperfect repentance—his general repentance." But Monmouth was still unmoved. He had already told them that he repented of whatever evil he had committed ; that God had forgiven him his sins ; and that he should die with chearfulness and like a lamb, not because he was naturally without fear, but because he felt within him a supernatural assurance that he was ascending to heaven.

Prepares for
death.

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And is
beheaded.

There is something most appalling in the conclusion of this tragedy. Monmouth warned the headsman not to mangle him, as he had mangled lord Russell; and the very admonition seems to have unnerved the man for the execution of his task. He took his aim so unskilfully, or struck so feebly, that he inflicted but a slight gash, and the sufferer, raising his body from the block, turned his head to the left side, as if he meant to complain. After two more strokes, life seemed to be extinct, and the executioner, alarmed at his own bloody work, threw down the axe, asserting with an oath that his heart failed him, and that he would do no more. But the sheriffs compelled him to resume the implement of death, and at the fifth blow he severed the head from the body⁶⁸.

Fate of his
followers.

While the leader thus paid the forfeit of his ambition in the capital, his followers in the country were abandoned to the mercy or discretion of the conquerors. Some of the royal commanders displayed their loyalty by the execution of martial law on the rebel prisoners: and of these the most active was

⁶⁸ See for all these particulars the *Buc- cleugh MS.* Rose, App. 65. Account of the execution of the duke of Monmouth, signed by the four divines and the sheriffs, Somers, Tracts, collect. i. vol. i. p. 216. Letter from Lloyd, bishop of St. Asaph, to Fell, bishop of Oxford, in *Hearne's Hemingforde*, i. 177. Barillon, 26 Juillet. *Reresby*, 213. *Evelyn*, iii. 167. *Dalrymple*, 135. *Gazette*, 2052. *Echard*, 1037. *State Trials*, xi. 1068—1083. On the scaffold Monmouth delivered to the sheriffs a paper stating that he had taken the title of king through compulsion, and acknowledging that he had been assured of his own illegitimacy by his father; wherefore he prayed that his children might not be made to suffer on account of his offences. That prayer was granted, in as much as James restored every thing to the family with the exception of the English title: but I question the story of his having called on the duchess the

day after the execution at breakfast, and given her a remission of her husband's forfeiture. It is not noticed by the author of the *Buc- cleugh MS.*, who wrote his narrative that day, and merely says that the king was exceedingly satisfied with her conduct, and had assured her that he would take care of her and her children: nor by Barillon, who writes on August 8 that she had twice been in company with the king and queen; and it is inconsistent with the proceedings which took place in Scotland respecting the trial and forfeiture of Monmouth on the 21st of December, and the judgment which was pronounced on the 15th of February. See them in *Howell's State Trials*, xi. 1023—1067. Barillon, on June 7, 1686, mentions the restoration of the property as having recently occurred (*Dalrymple*, App. 168); and Clarendon also on June 12. *Clar. Corresp.* 444.

Colonel Kirk, a rough soldier from Tangier, of whose wanton and unfeeling barbarity stories were related, which, if true, ought to have rendered him an object of horror to every human being, but which probably were false, since they did not prevent him from being caressed and distinguished by the prince who expelled James from his throne. To such proceedings an end was put by the peremptory order of the king: not that he sought to release the rebels from the consequences of their guilt;—for the danger to which the throne and the church had been exposed from the fanatical and republican principles of the insurgents called in the opinion of many for a severe and memorable example⁶⁹—but that he wished the punishment to follow according to due course of law, and after the forms of criminal justice. With this view a commission was appointed, consisting of Jeffreys, who three months before had been raised to the peerage, of Montague, the chief baron, and of three puisne judges. On account of the danger to which they might be exposed in the revolted counties, they were accompanied by a strong military escort, the command of which, with the temporary rank of lieutenant-general, was entrusted to Jeffreys; and it was probably this singular union of the military with the judicial character that induced the wits to give to his progress during the circuit the nickname of “Jeffreys’ campaign”⁷⁰.

They opened the commission at Winchester, where the only trial connected with Monmouth’s invasion, was that of Alicia Lisle, the relict of him who had been one of the judges of

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Trial and
execution of
Mrs. Lisle.
Aug. 27.

⁶⁹ “Such an inundation of phanatics and men of impious principles must needs have caused universal disorder, cruelty, injustice, rapine, sacrilege, and confusion, an unavoidable civil war, and misery without end.”

Evelyn, iii. 169, 170.

⁷⁰ James himself gives it this name in two letters to the prince of Orange. Dalrymple, 165.

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Charles I., a joint commissioner of the great seal, and chief judge of the High Court of Justice under the commonwealth. The offence with which this aged female was charged offers a sufficient reason why she was called to plead for her life; though some writers have sought it in the revengeful disposition of the cavaliers, anxious to punish on the widow the sins of her husband, and others in the displeasure occasioned by the countenance which she had always given to the doctrines of the "good old cause." After the battle two of the combatants, Nelthorpe, an outlaw on account of the Rye-house plot, and Hicks, an obnoxious non-conformist minister, had found an asylum in her house, and had been denied by her to colonel Penruddock, who had received information of their concealment. At her trial she put to the court this very pertinent question, whether she could be convicted of harbouring a traitor before the person so harboured had himself been convicted of treason: and when Jeffreys overruled the objection on the ground that it was sufficient to prove that she had been cognizant of the treason⁷¹, she maintained that of Nelthorpe she knew nothing, as she had not even heard his name, and Hicks she had received under the supposition that a warrant was issued against him for some breach of the conventicle act. That this excuse was in truth a mere pretence must be evident to any one who attends to the unwilling testimony of the witnesses: but the jury, consisting of some of the first commoners in the county, sought to give her the benefit of the least doubt, and inquired of the court if there were sufficient proof of her knowledge that Hicks had been in the

⁷¹ This was contrary to the doctrine of Hale, that such person should not be tried on a separate indictment till the principal was convicted, because the receiver is so far an

accessary, that he cannot be guilty if the principal be innocent. State Trials, xi. 371, note.

rebel army. Jeffreys in strong language expressed his surprise at such a question. They might, indeed, doubt, and of the fact they were the judges; but for his own part he thought the proof as strong as proof could be⁷². The unfortunate woman was found guilty; and James, to those who solicited him in her favour, replied that he could do nothing, that he had left the case in the hands of the chief justice. He substituted, however, decapitation for the legal punishment of burning: a mitigation of the judgment which his opponents have termed an usurpation of power contrary to law, as if our princes had not always exercised that power, on the ground that he who may lawfully remit the whole punishment by a pardon, may at his discretion commute it for another infliction less painful or less infamous⁷³.

From Winchester the court proceeded through Salisbury to Dorchester, Exeter, Taunton, and Wells, in each of which places a multitude of prisoners awaited their doom from the

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Aug. 31.

Sept. 2.

And of the
rebels in the
west.

Sept. 3.

⁷² Burnet's account of the trial abounds with inaccuracies. Giving credit to the public prints (Coke, ii. 339) he tells us that the jury returned twice a verdict of not guilty, and were at last compelled to return a verdict of guilty by a threat of attainder from the judge: but of these three verdicts there appears no notice either in the printed trial, or in the paper which Mrs. Lisle delivered to the sheriffs at her death. Moreover, if we may believe him, Jeffreys "affirmed to the jury on his honour that the persons had confessed that they had been with the duke, which was the turning a witness against her." (Burnet, iii. 60.) But this is a representation calculated to mislead the reader. After a long and most severe examination, accompanied with threats and adjurations, Jeffreys had extracted the truth from a prevaricating witness, and an acknowledgment that the first part of his testimony was false. The judge then, to account for what must have

appeared extraordinary in his own conduct, observed, that it proceeded from his knowledge that the witness was perjured, because Nelthorpe himself, one of the parties, had privately confessed to him all the circumstances. Aware, however, that in making this remark he had gone too far, he added that he "would not mention any such thing as any piece of evidence to influence the case, but he could not but tremble to think, after what he knew, that any man should dare so much to prevaricate with God and man, as to tell such horrid lies in the face of the court." State Trials, xi. 355.

⁷³ At the revolution the attainder of this lady was reversed, together with several others, for two reasons, because Hicks, the principal, at the time of her trial had not been convicted, and because the verdict of the jury had been extorted "by the menaces, and violences, and other illegal practices of the judge." State Trials, xi. 381.

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mouth of their stern and inexorable judge. That they had forfeited their lives by the laws of their country, cannot be denied ; and that many among them were incorrigible enthusiasts, who publicly avowed the righteousness of their cause, and their readiness to renew the attempt, is also true : yet the demands of justice ought certainly to have been satisfied, and a salutary example might have been made, without that deluge of blood so unsparingly poured out by Jeffreys and his associates. All who at their trials were convicted suffered in the course of twenty-four hours : the great majority, who pleaded guilty, were gratified with a short reprieve, during which they made with different success applications for mercy. Out of the whole number some were pardoned ; many whipped and imprisoned ; above eight hundred transported to the plantations, and three hundred and thirty executed as felons and traitors. The chief justice seems to have taken for a precedent the sanguinary conduct of those who in the reign of Elizabeth punished the northern insurgents ; and like them he permitted no town or hamlet in the rebellious district to escape without the useful lesson to be derived from the execution of some of the guilty. Many instances are also related of the indecent haste with which he consigned his fellow creatures to the gallows, and of the sarcastic levity with which he stung the feelings of those who interceded in their favour ; but these tales, though perhaps not abhorrent from the disposition of the man, depend for their credit on the veracity of those whose hatred he had deservedly earned by his cruelty, and who gratified their revenge by heaping disgrace on his character. There is better evidence to show that his zeal to punish the wrong done to the king did not withdraw his attention from his own interest ; and that during the circuit he amassed

a considerable sum of money, probably by the sale of his friendship and protection⁷⁴.

But if Jeffreys executed his task with a rigour far beyond that which the circumstances of the case required, where are we to look for the cause of his severity? To the temper of the judge, or the orders of the monarch? On the one hand, according to Burnet, James received a daily account of the proceedings from Jeffreys, and spoke of them in terms of satisfaction both at his table and in the drawing-room⁷⁵; and according to a respectable tradition, the chief justice on his death-bed in the Tower, declared that "what he did, he did by express orders, and that he was not half bloody enough for the prince who sent him thither⁷⁶:" on the other a witness who had the means of knowing the truth, the earl of Mulgrave, afterwards duke of Normanby and Buckingham, assures us that James "compassionated his enemies so much, as never to forgive Jeffreys in executing such multitudes of them in the west, contrary to his express orders⁷⁷;" and we are moreover told that when bishop Kenn and sir Thomas Cutler, the commanding officer at Wells, solicited mercy for some of the convicts, the king not only granted their request cheerfully, but afterwards meeting sir Thomas, thanked him for his intercession, and expressed a wish that others had imitated his humanity⁷⁸.

⁷⁴ From the parliamentary inquiry instituted in the next reign it appears that he was paid 1416*l.* 10*s.* by the crown solicitors, Graham and Burton. It is also stated that he extorted 14,500*l.* from Mr. Prideaux, to save him from prosecution. When, however, a bill was introduced after the revolution to recover that sum out of his estates, it was defeated chiefly by the influence of Pollexfen, the lord chief justice, one of his trustees. See *Memoirs of Judge Jeffreys*, 238.

⁷⁵ Burnet, iii. 56. Burnet, however, was

not in England at the time, but says that he received these particulars from Dykvelt, the Dutch ambassador, who was no great friend of James.

⁷⁶ See a note by speaker Onslow in Burnet, iii. 61. Onslow received the anecdote from Jekyl, Jekyl from lord Somers, and Somers from Dr. Scot, who attended the dying man.

⁷⁷ Account of the Revolution, amidst the Castrations in his Works, ii. p. xi.

⁷⁸ Burnet, ii. 62, note.

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The king's
projects in
parliament.

James was now triumphant over his enemies ; and this very circumstance, which seemed to have established his throne, mainly contributed to its downfall, by inspiring him with an erroneous notion of his own security, and teaching him to despise the murmurs and opposition of his subjects. During the last session of parliament he had obtained, what he could hardly expect, an augmented income for life : in the next he hoped to accomplish three things on which he had set his heart, the establishment of a standing army, the employment of catholic officers, and a modification of the *habeas corpus* act. 1. In common with his late brother he had always considered a king without an army as possessing little more than the name of a sovereign, and therefore viewed with regret the disbanding of the numerous force which had been raised by Charles to oppose the encroachments of Louis in Flanders. On the landing of Monmouth he found himself compelled at first to entrust the defence of the throne to the militia of the neighbouring counties. Experience showed the utter inefficiency of this species of force. For several weeks, as the reader has seen, the invaders traversed the country at their pleasure ; and there is little doubt that, had they brought with them a body of regular troops, or had their partisans risen simultaneously in several places, the attempt would have led to a protracted contest, if not to a very different result. James was thus confirmed in his former opinion. During the danger he gave out commissions for the levy of new regiments, till he raised the army to the amount of fourteen thousand men⁷⁹ ; and now he was resolved

⁷⁹ According to Barillon, (6 Aout, 1685) to fifteen thousand foot, three thousand horse, and one thousand dragoons. " Thus," says lord Lonsdale, " my lord Russell' plott first

made the king, when duke, popular, and Monmouth's rebellion gave occasion for raising an armie which continues to this day." Lonsdale's Memoir, p. 13.

to keep the whole force embodied, with, as he hoped, the approbation of parliament. 2. Among the officers who had obtained command in the new levies were several catholics, men who had faithfully served the crown on former occasions, and on whose fidelity the king relied the more firmly, because they professed the same religion with himself. But by law they were not only incapable of holding any commission in the army, but also liable to penalties for the part which they had taken in the suppression of the rebellion. James determined to shelter them from prosecution, to retain them in their respective offices, and even to procure the repeal of the test act, of which, though he himself had been the object, they had become the victims. 3. The statute of the 31st of Charles II., which enforced and improved the writ of habeas corpus, was not less objectionable in the royal estimation than the test act itself. It abridged the right formerly claimed by the crown of retaining suspected persons in custody; and though its beneficial effects had been repeatedly experienced by the friends of the monarch, yet in the committals on account of the Rye-house plot and of Monmouth's invasion, it had furnished many whom James believed criminal, with the means of obtaining their discharge, before legal evidence of their guilt could be collected. On this account the king declared that till some alteration should be effected in that act, the government was left without the arms necessary for its own protection⁸⁰.

It was not to be expected that on these three questions all the members of the cabinet should coincide in opinion with the sovereign. The example of foreign nations showed that the

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Diversity of
opinion in
the council.

⁸⁰ Barillon, in Fox, App. 127. Dalrymple, 166, 170, 177. "Le feu roi d'A. et celui-ci m'ont souvent dit, qu'un gouvernement ne peut subsister avec une telle loi" (d'habeas corpus). Barillon, 10 Dec.

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establishment of a standing army generally led to the introduction of despotism; and it was argued that the two acts, the objects of his aversion, were the chief bulwarks of religion and liberty; that, if the test were abolished, the church could not stand under the catholic monarch, and if the writ of habeas corpus were taken away, the rights of the people might be trampled under foot at the pleasure of any prince, who should chance to sit on the throne. Such had long been the avowed sentiments of the marquess of Halifax, lord president of the council, and such, though more warily expressed, were the real opinions of the earl of Rochester, who, whatever might be his attachment to the doctrines, sought like his father to be looked up to as the patron of the church⁸¹. But James, who did not approve the temporizing policy of his brother, had laid it down for a maxim, that it was folly in a sovereign to allow any man to remain in office, who would employ the influence of office to thwart the measures of government. After a decent interval he removed Halifax from the council, with expressions, indeed, of regard and kindness, but for reasons which he deemed it expedient to keep locked up within his own breast. Those reasons, however, were not unknown, and operated as a useful admonition to Rochester, who unwilling to promote the objects sought by the king, but equally unwilling to forfeit the emoluments of office, indulged the delusive hope of retaining the royal favour by his passive acquiescence in the royal measures. But his conduct was watched, and his views were penetrated by the subtle and insinuating Sunderland, who to ingratiate himself with the king, warmly advocated all the projects of James, and to prejudice his rival, as warmly complained, that the resist-

⁸¹ North, the lord keeper, was also of the same party (Barillon, 2 Aout.) but died on the 5th of September.

ance to those projects was caused or encouraged, if not by the intrigues, at least by the known hostility, of the lord treasurer. By the expectants of place and emolument it was soon perceived that Rochester declined daily in influence, while Sunderland slowly but steadily crept up to the eminence abandoned by that minister⁸².

The same diversity of opinion which existed in the council prevailed among the leading catholics. Of the immediate advantage to be derived by them from the repeal of the test act, no one could doubt: yet many, aware that the spirit of discontent was stirring, deprecated any alteration which might afterwards provoke a reaction. They deemed it imprudent to risk the tranquillity which they enjoyed for the pursuit of a greater but uncertain benefit, and were content to submit to the privations imposed by the laws, provided they might be relieved from the penal and sanguinary statutes prohibiting the private exercise of their worship. But those among them, who possessed the confidence of James, and formed the board at Sunderland's office, concurred in opinion with that minister. They conjured the king not to forfeit by procrastination the present opportunity: this was the time to demand the consent of the two houses to his three favourite measures: his enemies lay prostrate at his feet; and no man would have the boldness to dispute his pleasure⁸³.

As the time for the meeting of parliament approached, the minds of men became daily more and more agitated. During

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And among
the catholics.

Ferment in
the nation.

⁸² Barillon, *ibid.* 127. 30. 43. et lettres du 22 Oct., 1 Nov. Dalrymple, 173. Reresby, 214. 217. 223.

⁸³ Les Catholiques, says Barillon, ne sont pas tout à fait d'accord entre eux. Les plus habiles, et ceux qui ont le plus de part à la confiance du roi, connoissent bien que la conjuncture est la plus favorable qu'on puisse

espérer, et que si on la laisse échapper, elle pourra bien n'être de long tems si avantageuse. Les jésuits sont de ce sentiment, qui sans doute est le plus raisonnable: mais les catholiques riches et établis craignent l'avenir, et appréhendent un retour, qui les ruineroit, &c. Barillon, *ibid.* 135.

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the rebellion, the levy of forces and the appointment of catholic officers created no great alarm—the urgency of the case supplied a sufficient justification,—but months had now passed since the battle of Sedgemoor, and the army was still kept up to its former complement. It began to be rumoured that the king cherished designs against the liberties of the country, and it was soon known that he proposed to accomplish the repeal of the two acts. By a strange fatality it chanced that at this moment of suspense and disquietude the king of France revoked the edict of Nantes, and numbers of French protestants sought an asylum in England from the persecution which they suffered in their own country⁸⁴. The jealousy, which already existed, was instantly blown into a flame; and the press and the pulpit concurred in pouring out invectives in every shape against the intolerant spirit of popery. It was to no purpose that James laboured to allay the ferment: that he openly declared his disapprobation of every species of religious persecution, and that he promoted with all his influence the measures devised for the relief of the refugees. His sincerity was questioned; the belief of a secret understanding between him and Lewis prevailed; and the people everywhere called on their representatives to rally in defence of the religion and the liberties of the country⁸⁵.

Second ses-
sion of parlia-
ment.

Nov. 9.

On the appointed day the king opened the session with a speech from the throne. Having congratulated the two houses on the restoration of domestic tranquillity, he called their attention to the conduct of the militia during the invasion, which had revealed to the world how little reliance could be placed on the resistance of that force to the progress of a foreign and enterprising enemy.

⁸⁴ One of the objects of the mission of Bonrepaus to England was to induce the refugees to return to France. It appears from his letter of the 5th of May, 1686, that the

whole number amounted to about 4,500, out of whom he prevailed on 509 to return to their native country.

⁸⁵ Barillon, *ibid.* 132, 135. Burnet, *iii.* 81.

On this account he had deemed it necessary for the safety of the nation and the stability of the government to augment the regular army, and he now called on parliament to provide the means of defraying the additional expense. He was aware that some persons bore commissions in that army, who were not qualified by law. But they were for the most part personally known to him, and on many occasions had given convincing proofs of their loyalty. "And," he added, "to deal plainly with you, after having had the benefit of their services in the time of danger, I will neither expose them to disgrace, nor myself to the want of their assistance, should a second rebellion make it necessary." In conclusion he expressed a hope that this matter would produce no dissension between him and the two houses; and promised that, if they were only steady and loyal to him, he would make them the best return in his power, and venture his life in the defence of their interests⁸⁶.

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The house of lords returned an address of thanks; the house of commons resolved to consider the speech by paragraphs. The leaders of the court party were the two secretaries, lord Middleton, and Sir Richard Graham, lately created viscount Preston of Scotland; of the opposition Seymour, Clarges, Twisden, and Maynard, men of considerable weight, and long parliamentary experience. On the first division the latter obtained the majority by a single vote: in a day or two they held at command a majority of thirty or forty voices. 1. The house resolved to grant a supply, but at the same time, that they might mark their disapprobation of the measure suggested by the king, accompanied it with a bill for the improvement of the militia. 2. Instead

Opposition in
the house of
commons.

Nov. 12.

Nov. 16.

⁸⁶ Com. Journ. Nov. 9.

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of assenting to his proposal in favour of the catholic officers, they promised to relieve them from the penalties by a bill of indemnity, and prayed him, since to keep them in employment was to dispense with the law without authority of parliament, to give such orders for their discharge as might remove all apprehension and jealousy from the hearts of his faithful subjects.

3. Having thus signified their wishes they proceeded to the amount of the supply. The ministers had asked for twelve, their opponents offered four, the house voted seven hundred thousand pounds. But this sum was in reality held out as a lure to the king, the more tempting, because being unappropriated to any particular object, it might be applied by him as he pleased. James, however, was not a thoughtless, penurious spendthrift like his brother. His economy was equivalent to an augmentation of revenue; and he resolved to sacrifice the money, rather than yield to the discharge of the officers. Sending for the commons, he declared to them in a tone which marked his displeasure more strongly than his words, that he was surprised at their address, that he had already warned them against the evils which might spring from jealousy and dissension; and that he had hitherto persuaded himself that his character for sincerity was a sufficient motive for confidence in his word. However, their jealousy did not make him repent of the promises which he had given, nor would he ever be provoked to break them, however ill he might be treated by the suspicious temper of that house.

Nov. 17.

Nov. 18.

The next morning, as soon as this speech had been read, Mr. Coke exclaimed, "I hope we are Englishmen, and not to be frightened from our duty by a few high words." But the house, looking on his language as disrespectful to the king, sent him on the motion of lord Preston to the Tower: for it was the advice of

the leaders to pursue their plan steadily but warily; to maintain at all events the inviolability of the test act, but at the same time to avoid every unnecessary cause of offence⁸⁷.

At length the spirit displayed by the commons awakened a similar spirit among the lords. The praise of originating the question was seized by the marquess of Winchester, who called the attention of the house to the illegal employment of catholic officers in the army, and was warmly supported by the lords Anglesey, Halifax, Nottingham, and Mordaunt, and by no one with more effect than by Compton, bishop of London, who stated that he spoke the united sentiments of the episcopal bench, when he pronounced the test act the chief security of the established church. The ministers, with the exception of Jeffreys, offered but a faint and doubtful resistance, and it was ordered that the house should be summoned for the following Monday to take the king's speech into consideration. James, who like his late brother, attended daily, witnessed the debate with feelings of vexation and disappointment. He saw the strong opposition which was arrayed against him, and perceived that many of his dependents, even while they spoke in his favour, hoped for his defeat. But it was not in his disposition to yield: whether it were firmness of mind, as his flatterers called it, or obstinacy as it was termed by his enemies, he usually pursued his object with the greater ardour, in proportion to the number of obstacles thrown in his way; and now, instead of conceding to the ascertained opinion of the two houses, he suddenly prorogued the parliament, with the secret resolution of accomplishing by his dispensing power that object, which he was not permitted to

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Opposition in
the house of
lords.

Nov. 19.

Prorogation.
Nov. 20.

⁸⁷ C. Journ. Nov. 12, 13, 16, 17, 18, 20. 215—220. Burnet, iii. 85. Dalrymple, Barillon in Fox, 129—141, 146. Reresby, 172. Parl. Hist. 1367—1386.

CHAP. effect constitutionally, with the consent of the lords and
VIII. commons⁸⁸.
A. D. 1685.

On the suppression of the rebellion the vengeance of the law had fallen chiefly on the insurgents actually in arms: after the prorogation several persons of higher rank, the suspected, though not avowed, associates of Monmouth, were called upon to establish their innocence. 1. Of these the first was lord Brandon. During the summer lord Grey, the companion of Monmouth in his flight, had betrayed a disposition to make disclosures; the manner in which the overture was accepted, encouraged him to proceed; and he sent to the king a written confession detailing the whole history of the Rye-house plot, and of the invasions of Monmouth and Argyle. James was satisfied: Grey, having received a pardon, became a legal witness, and on the trial of lord Brandon, repeated in the presence of the court the substance of his previous confession. Notwithstanding the odium which naturally attaches to the man, who impeaches his associates, the jury gave credit to his testimony, and the prisoner received judgment of death, but afterwards obtained his pardon through the influence of Mason his wife's sister, and one of the king's mistresses⁸⁹. 2. The next person arraigned at the bar was Hampden, not for any participation in the late attempt of Monmouth (for he had been two years in confinement), but for

Nov. 12.

Lord Bran-
don.

Nov. 26.

Hampden.

⁸⁸ L. Journ. xiv. 88. Barillon, 29 Nov.; 3 Dec. Reresby, 220, 222. Burnet, iii. 85.

⁸⁹ Bar. 10 Sep.; 6, 22 Nov.; 13 Dec. Dalr. 175. Bonrepaus, 7 Aout. State Tr. xi. 1091, note. Grey's outlawry was not reversed till the 17th of June, 1686, when he was restored in blood. Of his character no man can form any favourable opinion, who recollects his seduction of his sister-in-law, the lady Henrietta Berkeley, and his cowardice in the skirmish at Bridport. It is, however,

but justice to observe that there is no evidence to show that he misbehaved at the battle of Sedgemoor, or was guilty of any substantial misrepresentation in his confession. Such misrepresentation would have been impolitic by misleading James, and must have rendered him very obnoxious after the revolution. Yet he was created by king William earl of Tankerville, and appointed to the offices of first lord of the admiralty and of lord privy seal.

his share in the Rye-house plot. To his plea that he had been already tried for that offence, it was answered, that in the first instance there appeared but one witness against him, and he was therefore charged only with a misdemeanour : now a second, the lord Grey, would be produced, and he was therefore charged with a different offence, that of high treason. The prisoner, aware of the consequences, preferred to plead guilty, and throw himself on the royal mercy. He was reprieved, a pardon followed ; and the court, in obedience to the king's writ, reversed the outlawry⁹⁰. 3. The lord Delamere, the son of the celebrated sir George Booth, was arraigned before Jeffreys, who had lately been appointed lord chancellor⁹¹, and now sate as lord high steward, with twenty-seven peers for his assessors. Delamere's objection to the jurisdiction of the court, and his claim to be tried in parliament, were overruled : but there appeared against him only one positive witness, whose prevarication was too evident to be concealed ; and hence, though of his intention to rise in support of Monmouth no doubt could exist, he obtained an unanimous acquittal. James, who attended at the proceedings, concurred in the propriety of the verdict : but declared that Saxton the witness, who, to save his own life, had offered himself as an informer, should suffer the punishment both of his perjury and his treason. Of this threat the first part was put in execution. Saxton, having been convicted, stood thrice in the pillory, was twice publicly whipped, and

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Lord Dela-
mere.
1686.
Jan. 14.

Feb. 8.

⁹⁰ If we may believe Hampden, in his answer to the house of lords after the revolution, " his friends offered 6,000*l*. for his pardon to some in power, who were the lord Jeffreys and Mr. Petre. This was effectual. He pleaded guilty, and obtained his pardon." *L. Journ.* xiv. 379.

⁹¹ The lord keeper died Sep. 5. The next day the great seal was delivered to the king,

" who went immediately to council, every body guessing, who was most likely to succeed this great officer: most believing it could be no other than my lord chief justice Jefferies." *Evelyn*, iii. 173. See also *Barillon*, 17 Sep. James wrote to him to expedite the business of the circuit and gave him the appointment on Sep. 28.

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The earl of
Stamford.

1686,
March 10.

Rival parties
in the cabinet.

then committed to prison, till he should pay a fine of three hundred marks⁹². 4. The earl of Stamford was equally fortunate with his associate lord Delamere. A day had been appointed for his trial in parliament: it was postponed by the prorogation, and the king consented that he should take the benefit of an act of amnesty, which was published in the spring⁹³. The advocates of James have often appealed to these instances of clemency in answer to the charge so repeatedly advanced by his opponents, that he was a cruel and inexorable enemy, who delighted in shedding the blood of his victims.

In the mean time the diversity of opinion, which prevailed in the council before the last session of parliament, had led to the formation of two hostile parties at court under the rival statesmen Rochester and Sunderland. Rochester still held the first place in the administration; his attachment to James in the time of adversity gave him a strong claim on the gratitude of the monarch; and his interest was supported by the duke of Ormond, the lords Feversham, Dartmouth, Middleton, and Preston, by the majority of the episcopal bench, by the envoys of all the powers hostile to the ambitious projects of Louis XIV., by the moderate party among the Roman catholics, who promised themselves more real benefit from his connivance, than from the interested zeal of his competitor, and (which may surprise the reader) in some measure by the papal nuncio himself, who though he took no prominent part in politics, secretly

⁹² State Trials, xi. 509—600. Dalrymple, 166. Ellis Cor. i. 16. 22.

⁹³ Gazette, 2120. This pardon contained a great number of exceptions, among which the most singular was that of the girls who presented the bible and sword to Monmouth at Taunton, not that it was intended to bring them to punishment, but to make the parents,

the real delinquents, pay for the disloyal office, which they had imposed on their children. For the pardon of each a fine was required proportionate to the circumstances of the parent, and the whole sum was divided among the queen's maids of honour. *Memoirs of the life of judge Jeffreys*, 215.

sought and followed the counsels of the Spanish ambassador, the friend of Rochester. On the other hand Sunderland, aware of the offence, which he had given in the late reign, laboured to atone for his past misdeeds by a blind devotion to the pleasure of the sovereign. Among the protestants he was assured of the hearty co-operation of Jeffreys, and he indulged a persuasion that he might also rely on the more doubtful support of lord Godolphin: but his principal hope of success was in the influence of father Petre and of the ultra-catholics, whom he had bound to his interests by constantly putting himself forward as their devoted friend and champion. In point of rank and patronage a secretary of state was, indeed, no match for a lord high treasurer: but Sunderland did not despair of obtaining the staff on some future occasion, and, as an intermediate step, attempted to add to the office, which he held, that of president of the council. On the removal of Halifax, he asked it of the king, and met with a refusal. He next employed the good offices of Jeffreys, but Jeffreys proved equally unsuccessful. As a last resource Petre was brought forward, who represented to James that it was as much his interest to reward the man, who seconded his views in favour of the catholics, as to disgrace *him* by whom they had been thwarted. His reasoning or importunity prevailed: after the prorogation Sunderland, without resigning the secretaryship, took his place as president of the council; and this promotion was hailed by his dependents as a proof of increasing interest with the king, though it still remained a problem with many which of the rival ministers would ultimately prevail ⁹⁴.

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⁹⁴ See Barillon, 1, 5, 26 Nov.; 17 Dec. Fox, App. 127, 130, 144. Though Barillon foretold that his friend Sunderland would be successful, yet Bonrepaus, the other French agent, was as confident of the triumph of Rochester. As late as March 28, 1686, he

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Their oppo-
site counsels.

It seems never to have entered into the minds of statesmen at this period, that it might be a duty to resign office rather than lend the sanction of their names to measures which they condemned. Their oath bound them to express their opinion in council: when this was done, they conceived that they had discharged their consciences; and it only remained for them to expiate their presumption in differing from the sovereign by their humble submission to the royal will. Hence the two leaders continued to act together in the cabinet, though guided by opposite views, and pursuing opposite interests. On the one hand Rochester and his friends allowed no opportunity to escape them of diverting the king from his favourite plans in behalf of the Roman catholics. They conjured him not to alienate the affections of his people by the pursuit of measures repugnant to their prepossessions and their feelings. Rather let him attach them to himself by entering into treaties with foreign princes, for the purpose of establishing a balance of power in Europe, and of restraining within its ancient limits the overwhelming preponderance of France. This would raise him to a higher degree of importance and reputation than had fallen to the lot of any among his predecessors: this would restore harmony between him and his parliament; this would enable him to obtain from the gratitude of his people much that he could not now accomplish without risk both to himself and the objects of his favour. On the other hand it was the study of Sunderland and the ultra catholics to watch and defeat the manœuvres of their opponents. They constantly reminded James, that if ever he suffered himself to be drawn into a war, from that moment he would become dependent on the good pleasure of

writes: "je n'ai pas une si grande idée du credit de myl. Sunderland, et je juge toujours qu'il y a plus de solidité dans la fortune de myl. Rochester."

his parliament. The present was a favourable opportunity of rescuing the catholics from oppression. If he listened to the advice of their enemies he would forfeit it, and probably for ever. On the contrary, he had only to preserve peace abroad, and he might give the law at home; to keep himself from dependence on parliament, and the parliament would at last fall into dependence upon him⁹⁵.

Much as James had set his heart on the relief of his catholic subjects, there were times when he seemed disposed to follow the opposite advice of Rochester, induced by his ambition of military fame, and his impatience under the superiority assumed by the French monarch⁹⁶. Of this Louis himself was aware. From the first he doubted the sincerity of the attachment which the English prince professed for him to Barillon, and had not long to wait before this suspicion was fully confirmed. Within six months after his accession James concluded a treaty with the States General, which renewed the former treaties between the

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Respecting
foreign
treaties.

⁹⁵ See Barillon's letters of Nov. 12 and 26, in Fox, App. 135, 143; and his unpublished letters of Nov. 22, Dec. 13, Feb. 7, and Feb. 25. "On n'omet aucun soin, aucun artifice pour engager le roi à tenir une conduite moins ferme. . . . Les catholiques sont partagés entr'eux. Les uns voudroient qu'on se servit de l'occasion présente . . . les autres craignent l'avenir. . . . Ceux qui ont le plus de relations à la cour de Rome sont de cet avis. . . . si le roi étoit dans des intérêts opposés à ceux de la France, il auroit les cœurs du peuple, et de grands secours du parlement. Le danger de cet avis est connu des catholiques qui ont le plus de part à la confiance du roi. . . . Les jésuites sont joints à ceux-ci. Les autres attendent beaucoup des ministres du pape. Cependant, M. d'Adda est circonspéct est réservé. . . . Le P. Piters jésuite est le plus autorisé. Myl. Arundel, myl. Tirconell, myl. Douvres consultent souvent avec myl.

Sonderland. C'est par eux que les principales affaires se dirigent. Le grand trésorier se renferme dans la fonction de sa charge. Il est regardé comme le soutien de la religion protestante auprès du R. d'A. . . . Il se flatte de pouvoir se conserver dans le post où il est . . . Myl. Sonderland va toujours son chemin, et suit aveuglement les volontés de son maître. Le chancelier est entièrement réuni avec myl. Sonderland. Myl. Godolphin même paroît agir de concert avec eux, quoiqu'il ait beaucoup de circonspection. M. d'Adda craint qu'on n'en fasse trop, et cela lui est inspiré par l'ambassadeur d'Espagne, qu'il voit tous les jours. . . ."

⁹⁶ "On le croit flatté de l'envie de tenir la balance dans les affaires de l'Europe, et d'être regardé comme le seul capable de mettre des bornes à la puissance de votre majesté et à ses desseins." Barillon, 13 Dec.

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two powers, and in particular the defensive alliance of 1678. On the receipt of the intelligence Louis reprimanded the ambassador for his want of vigilance or of foresight; and instructed him to abstain, indeed, from noticing what was past—for it was beneath the dignity of a king of France to complain—but to watch with jealousy the subsequent proceedings of the English cabinet, to prevent by every means in his power the conclusion of similar treaties with other states, and to keep up a secret understanding with some members of parliament, who, in the event of an alliance between James and the enemies of France, might labour to embarrass and defeat the measures of government⁹⁷. It happened that the very circumstance which alarmed Louis encouraged the Spanish ambassador to propose not only a renewal of the last treaty with Spain, but also of the triple alliance against France. All the agents of friendly powers at the British court came forward to his assistance; the adherents of the prince of Orange, the mortal foe of Louis, added their endeavours; and Rochester with his dependents advised and entreated the king to assent. But Barillon was on the watch: against this formidable host he arrayed Sunderland and the ultra-catholics; and James, after some hesitation, declared his resolution not to enter into any engagement which in its consequences might probably draw him into hostilities. Louis was not ungrateful on this occasion. He granted to Sunderland an annual pension of 60,000 livres (4,500*l.*): then on the representation of that wily statesman he consented to pay it half-yearly in advance; and afterwards, on more than one occasion, he doubled the amount, to mark his sense of the distinguished services rendered him by the English minister⁹⁸.

⁹⁷ Barillon, 16, 19 Nov. Fox, App. 136.

⁹⁸ Barillon, 26 Nov.; 6 Dec.; 18 Feb.

This was followed by a more mysterious intrigue, in which, after a doubtful contest, Sunderland again obtained the victory. Though James had sacrificed place and power to the profession of his religion, he was unwilling to sacrifice his pleasures to the observance of its precepts. To his favourite mistress, Arabella Churchill, he had substituted one of the maids of honour to the queen, Catherine Sedley, daughter of sir Charles Sedley of profligate memory. Of personal charms she was unable to boast : her power of captivating her lover was owing to her wit and conversation ; and the duke, though report assigned to him a successful rival in colonel Graham, the keeper of his privy purse, was willing to believe himself the father of her two children⁹⁹, settled on her an income of 2,000*l.* a-year from his private estate, and made her a present of a spacious mansion in St. James's-square. Soon after his accession the catholics remonstrated against the scandal given by this amour. Overcome by their entreaties, he consented to bid her an eternal farewell ; but at the same time, to appease her discontent, doubled her yearly allowance, and commissioned Graham to decorate her house, and furnish it at his expense. Sedley was aware of her empire over his heart : though he refused to see her, she kept possession of her apartment at Whitehall : after three months by accident or design they met at the lodgings at Chiffinch : the amour was renewed ; he visited her, at first clandestinely, afterwards more openly, and at last put into her hands a patent creating her countess of Dorchester. This was perhaps

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And the
countess of
Dorchester.

Jan. 21.

⁹⁹ One of them died young, the other, lady Catherine Darnley, was married to the earl of Anglesey, and afterwards to the duke of Buckingham. The mother herself married the earl of Portmore. When queen Mary, the daughter of James, after the revolution,

turned her back on the countess, that lady exclaimed, " I beg your majesty to remember that if I broke one of the commandments with your father, you broke another against him. On that score we are both equal." Lord Dartmouth in notes to Burnet, iii. 114.

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a spontaneous act on the part of the king, or might have been wrung from him by the importunity of Sedley: but at court both the friends and foes of Rochester attributed it to the policy of that statesman, who sought to place her in the situation occupied by the duchess of Portsmouth in the last reign, and persuaded himself that he should be able to govern the king through the influence of the mistress.

The king
sends her to
Ireland.

The queen, Maria d'Este, possessed not the mild and submissive temper of the consort of the late monarch. She upbraided her husband with his infidelity; she declared that she would withdraw to a convent rather than witness her own degradation; and it was remarked that on two successive days at dinner she neither ate, nor uttered a word to the king. Sunderland was at hand to inflame her jealousy, and point her resentment against Rochester: he called the principal catholics to her aid, representing to them that all their hopes of relief would vanish if they suffered a protestant mistress in the interest of their adversary to be established near the throne; and he advised the queen to summon to her apartment himself, the lord chancellor, Mansuete, a capucin friar from Lorrain, who was the king's confessor, Petre the jesuit, with the most distinguished of the catholic clergymen, and all the catholic noblemen at court. When James entered to visit the queen, he was instantly assailed by their united remonstrances against an attachment so injurious to his consort, so disgraceful to his religion, and so prejudicial to his own interest. He was surprised, abashed, and subdued. Having pledged his word to separate from Sedley for ever, he sent her an order to withdraw from Whitehall to her own house, and thence to France, or Flanders or Holland; but in the order itself he betrayed a consciousness of his own weakness, by acknowledging that he dared not trust himself so far as to

Jan. 25.

Jan. 27.

communicate his resolution to her in person. Sedley treated both the messenger and his message with scorn; she was an Englishwoman, and would dwell where she pleased: if the king determined to remove her, he must do it by force; and in that case she would apply for a writ of habeas corpus and recover her liberty. James submitted to her caprice: a personal interview was granted, and in conclusion she consented to quit England, and fixed her residence on an estate in Ireland, a present to her from her lover¹⁰⁰.

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Her departure was celebrated as a triumph by Sunderland, who had not only defeated the machinations of his competitor, but also rendered him an object of suspicion, if not of aversion, to the queen. On the other hand Rochester was not wanting to himself. He endeavoured by numerous protestations to convince her of his own innocence, and to lay the whole blame exclusively on the king¹. But in a short time the friendship or enmity of the queen became to these ministers a matter of small moment. It appeared that she possessed no political influence with her husband, unless it was at the time of their domestic bickerings, when, to mitigate her displeasure, he seemed to listen to her advice, and granted her requests. But the eclat of their late quarrel proved a lesson to them both. Sedley, indeed, returned after an exile of six months, and the king continued his visits to her as well as to other women: but he now laboured by every artifice in his power to conceal his amours from the eyes of

She returns.

August.

¹⁰⁰ These particulars are selected from several letters of Barillon (22 Feb. 1685; 31 Jan.; 4, 7, 18, 28 Feb. 1686), who espoused the part of Sunderland, and from others of Bonrepas (31 Jan.; 4, 7, 11 Feb.), who was friendly to Rochester. See also the Ellis Correspondence, i. 23, 35, 38, 42, 47, 58, 92; Reresby, 230; Evelyn, iii. 200; and Burnet, 113, 234.

¹ There is, however, reason to suspect that he was not accused unjustly, from the valuable presents which he had previously made to her, and the great intimacy in which she afterwards lived with him and his brother. See Clarendon's diary for the year 1690; and Mr. Singer's note, p. 313.

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An ambas-
sador sent to
Rome.

1685.
Sept. 9.

Nov. 12.

1686.

others, and Mary had generally the good sense, even when she was apprized, still to appear ignorant of his misconduct ².

From these intrigues we may pass to the measures adopted by the king in favour of the catholics. On his accession he had sent Mr. Caryll, a gentleman of talents and fortune, to Rome, as an unavowed but confidential agent to solicit the dignity of cardinal for Rinaldo d'Este, the queen's uncle, and a mitre for Dr. Leyburn, auditor to cardinal Howard. To the first request the pope, Innocent XI., though he did not return a positive refusal, thought proper to demur: but Leyburn was invested with the episcopal character, and, on his arrival in London, received lodgings in Whitehall, with a yearly pension of 1,000*l*. out of the privy purse. He was followed by count Ferdinando d'Adda, with the powers of papal nuncio, but without any public character. This agent had been instructed to respect the religious prepossessions of those among whom he was to sojourn, to exhort the king to temper his zeal with prudence and moderation, and to solicit his intercession with the French monarch in favour of the French protestants. It was previously known to James and his more zealous advisers that the pontiff disapproved of their ardour and precipitancy: but they laid the blame on the timidity of Caryll, and advised the appointment in his place of lord Castlemaine as royal ambassador: his public character would insure attention to his representations; and his past sufferings in consequence of Oates's plot would be a recommendation in his favour. There seemed something ridiculous in the selection of the husband of the duchess of Cleveland for this mission to the pontiff, and it was with unfeigned reluctance

² Barillon, 2, 5, 23 Sept. 1686. Bonrepaus, 4 Juin; 21 Juillet; 21 Août, 1686; and an anonymous mémoire in vol. 154 du

Ministère des Affaires Etrangères, Supplément, 1687, 1688.

that Castlemaine himself accepted the office. His instructions bound him to seek the advice of the general of the jesuits, and to live on terms of intimacy with the French ambassador ; instructions ill calculated to beget the good-will of the pontiff, who was no great friend to the " society," and still less to France or the connections of France. The parade with which Castlemaine entered Rome, and the enthusiasm with which he was hailed by the Romans, might gratify the vanity, but the issue of his negociation, as will be afterwards shown, disappointed the expectation, of his sovereign.

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Jan. 7.

At home the king pursued with ardour his project in favour of the catholic officers in the army, and at first had the satisfaction to find himself successful. Patents under the great seal were issued, discharging them from the penalties to which they were liable by the statute of the 25th of Charles II. and enabling them to hold their commissions, " any clause in any act of parliament notwithstanding." This kind of expedient had first been suggested to James in the reign of his brother by Herbert, chief justice of Chester, who waited on the duke on his return from Scotland, and informed him, that, if he sought to resume his office of lord high admiral, the test act could oppose no effectual bar to his desire, because it was in the power of the king to dispense with that statute. The opinion of Herbert was confirmed by that of Jeffreys after his elevation to the bench ; and it is not improbable that such a dispensation was secretly obtained by the duke before he entered on the duties of a privy counsellor and lord high admiral towards the close of the last reign³. He now asked for the opinions of the several judges

The king's
dispensing
power.

Jan. 9.

³ James (Memoirs), ii. 81.

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Which is
affirmed by
the judges.

separately and in private: those who doubted, he desired to argue the question with the lord chancellor; and the indocility of four was punished by their removal, and the vacancy filled by others, of more courtly principles or less scrupulous ambition⁴. The result was now certain, and Godden, coachman to sir Edward Hales, received instructions to bring an action for the penalty of 500*l.* to which his master was subject for holding the commission of a colonel in the army without having previously qualified according to the provisions of the test act. Hales pleaded a dispensation under the great seal: and the cause was heard in the court of king's bench before the same Herbert, now lord chief justice, and a lawyer whose upright and blameless conduct was calculated to give weight to his judicial decision. He openly professed to entertain no doubt: but the question was of the first importance; and before the court gave judgment, he would consult the rest of his brethren. Nine concurred with him in opinion: of the two dissentients Powel, after some delay, came over to the majority, and the only one who persisted was Street, a judge of a very indifferent reputation. Fortified in this manner Herbert delivered judgment in favour of the defendant, on the ground that the king of England was a sovereign prince, and that the laws were his laws, whence it followed that it was part of his prerogative to dispense with penal laws in particular cases and upon necessary reasons, of which necessities and reasons he was the sole judge; and that this was not a trust committed to him by the people, "but the ancient remains of the sovereign

⁴ On the first of January Barillon informed his court of this determination, adding: "il faudra que tous les juges conferment cette dispensation, autrement ils ne

conserveront pas leurs places." The office of chief justice of the common pleas was worth 5000*l.* per annum. Barillon, 10 Jan.; 25 Feb.; 25 Avril; 2 Mai.

June 21.

prerogative which never yet was taken, nor can be taken from the kings of this realm⁵.”

The decision of the court gave much dissatisfaction: but though it was severely censured, it does not appear to have been contrary to law, as the law at that period was generally understood. That it is subversive of the principle on which the legislative authority is established, cannot be denied: but the dispensing power had at all times been claimed and exercised by our kings; and its existence was admitted by the lawyers, though they differed in opinion as to the limits within which it ought to be confined, a question the solution of which depended on the judgment and political bias of each individual. Had James been a protestant, or had the dispensation regarded any other matter than religion, it is possible that his power would not have been disputed: but men were alive to the danger which, it was said, threatened the established church; they looked on the test act as its principal bulwark; and when they found that this bulwark could be undermined by the dispensing power, they argued that such power ought no longer to be entrusted to the crown. James was not of a disposition to concede to these apprehensions. He exercised his claim without restraint; and every repetition served to add to the dissatisfaction and alienation of his subjects, till the despair of obtaining redress from the good sense of the monarch urged them to place another prince on the throne. Yet even then, in the declaration of right, which the two houses made at the time when they tendered the crown to William and Mary, they did not absolutely deny the power of the sovereign to dispense with

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Abolished at
the revolution.

⁵ State Trials, xi. 1165—1199. The tract of sir Edward Herbert in support of his judgment, and the opposite treatises of sir Robert

Atkins and Mr. Atwood follow in the same volume, 1199—1315.

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the law in particular cases, but in more cautious and qualified language asserted, "that it was illegal, as it had been assumed and exercised of late." The consideration, however, of what was past, induced them subsequently to provide for the future; and the claim of the sovereign was very wisely abolished by the bill of rights, which enacted, that "after the then session of parliament no dispensation with any statute should be valid, except where the king is especially authorised to dispense by act of parliament."

Disobedience
of the bishop
of London.

Jan. 1.

The reader is aware that the first among the prelates, who ventured openly to join the standard of opposition in the house of lords, was Compton, uncle to the earl of Northampton, and formerly an officer in the army. He was soon made to feel the royal displeasure by his removal from the council and from the office of dean of the chapel, but was amply repaid for the loss by the general approbation of the people. His example excited a similar spirit among the clergy of the metropolis; and the pulpits were constantly supplied with preachers, who fiercely declaimed against the erroneous doctrines imputed to the church of Rome, and in warm language exhorted their hearers to a steadfast adhesion to the reformed faith⁶. The king was surprised, perhaps alarmed: for the obvious tendency of their sermons was to infuse a jealousy of his designs, and to prepare the popular mind for resistance. He considered such discourses as inconsistent with the established doctrine of passive obedience, and contrary to the professions of attachment to his person, which had formed the burthen of the numerous addresses from the ecclesiastical bodies. Hitherto he had committed no positive act of aggression against the church: but from this time he seems to have argued, that the clergy by breaking their promises

⁶ Evelyn, iii. 199. Reresby, 226, 232. Ellis Corresp. i. 3, 6. Barillon, 3 Janv.

to him, had also released him from his engagements to them. In virtue of his ecclesiastical supremacy he sent to the two archbishops certain directions for preachers, commanding them to lay aside questions of controversy, and to confine their discourses to subjects of moral divinity and of a holy life. Many complied : but many also refused, and gloried in a disobedience which obtained for them the applause of their hearers. The first who was visited with any mark of the king's displeasure, was Dr. Sharp, dean of Norwich, and rector of St. Giles's, who had preached a sermon animadverting in no very measured terms on the motives of the new converts to the church of Rome : but the bishop of London, instead of executing the royal order to suspend him from the office of preaching, was content with advising him to remain silent, till he had satisfied the king of the propriety of his conduct. This disobedience of the prelate led to the establishment of a new ecclesiastical commission. By the first of Elizabeth it had been enacted that the kings and queens of England should have full power to appoint persons to exercise for them their ecclesiastical authority, and to visit, redress, correct, and amend all errors, schisms, offences, contempts, and enormities which by any manner of ecclesiastical power could be lawfully redressed, corrected, and amended. It was, indeed, true that by another statute of the 17th of Charles I. the clause granting that power was repealed, and all letters patent erecting new courts similar to the high commission court, and all powers and authorities granted thereby, were declared utterly void and of no effect. But this last act had also in its turn been repealed by the 13th of Charles II. c. 12. which, while it put down the high commission court with its *extraordinary* powers of imposing fines, committing to prison and tendering the oath *ex-officio*, preserved to the spiritual

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July 1.

New ecclesi-
astical com-
mission.

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courts the exercise of their *ordinary* jurisdiction, and to the crown that of its *ordinary* supremacy. James, to whom it seemed incongruous that he, a member of the church of Rome, should inquire by virtue of the supremacy into ecclesiastical offences committed by members of the church of England, consulted the judges, and was by them advised to appoint a standing court of delegates with *ordinary* powers to hear and determine ecclesiastical causes, and to pronounce on offenders ecclesiastical censures. To this effect a commission in most ample form was given to the archbishop of Canterbury, to the bishops of Durham and Rochester, the lord chancellor, the lord treasurer, the president of the council, and the chief justice of the common pleas⁷, who (with the exception of the metropolitan) summoned the bishop of London before them to answer for his contempt in omitting to suspend Dr. Sharp. They refused to listen to his plea in bar of their jurisdiction; but allowed him sufficient time to prepare his answer. He alleged that to comply with the royal mandate by any judicial act was not in his power, because the offence had never come judicially before him, but that he had complied with it in substance by advising and inducing Sharp to abstain from preaching. If, however, he had, in the opinion of the commissioners, erred through mistake, he was ready to beg the king's pardon, and willing to make reparation for his fault.

The bishop is
suspended.

The commissioners were divided in opinion. Rochester (and he was feebly seconded by Jeffreys) contended that it was but fair to allow the bishop time to do now, what he had been ordered

⁷ See it in History of King James's ecclesiastical commission, p. 2. Rapin tells us (xv. 74.) that several catholics were in the commission, an extraordinary mistake as may be seen in the instrument itself. Neither is

it true that the commission was appointed in April, but not opened till August on account of the doubts entertained of its legality. The day on which the patent was sealed was July 14th. (Evelyn, iii. 213.)

to do at first: Sunderland and the bishop of Durham, that as delegates they ought to lay the whole matter before the king, and abide by his decision. But James had no compassion on the delinquent: it was to him, when duke of York, that Compton owed his nomination to the see of London, and yet that prelate had been the first to excite the jealousy of the clergy and the alarm of the people to the prejudice of his benefactor. The king insisted that he should suffer in punishment of his ingratitude: the commissioners suspended him from the exercise of the episcopal jurisdiction during the royal pleasure, and the administration of the diocese was entrusted to the three bishops of Durham, Rochester, and Peterborough. Sharp was also suspended, but restored on his submission. Compton's more warlike spirit refused to bend, and he remained in disgrace, deprived, indeed, of ecclesiastical authority, but invested with the honours of a martyr in the estimation of the people, who gave to his judges the title of the congregation de propaganda fide, transferred from Rome to London ⁸.

Such were the principal events of the second year of the reign of James: but with them were intermixed several other occurrences of minor interest it is true, but strongly calculated in the existing disposition of the public mind, to foment the jealousy of the people, and to diminish the popularity of the monarch.

1. About the beginning of the year several protestant clergymen professed themselves converts to the Roman catholic faith, among whom were Obadiah Walker, master of University

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Sept. 6.

New dispensations.

⁸ See the whole process in the State Trials, xi. 1156—1166, and the history of the ecclesiastical commission. Also Ellis Corresp. i. 160, and Barillon, 12, 19, 23 Sept. The archbishop would not act. He objected to the superior authority given to a layman, the chancellor, who was to be always present,

and excused himself on account of his age and infirmities. James saw his true reason, and erased his name not only from the list of commissioners, but also of privy counsellors, saying that if he was too infirm for the first, he was equally so for the last. Barillon, 26 Août, 2 Oct.

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May 3.
May 5.

Dec. 16.

Claude's book
is burnt.

College, Boyce, Dean, and Bernard, fellows of different colleges, and Sclater, curate of Putney and Eshare. James hastened to grant them dispensations, by which they were empowered to enjoy the benefits of their respective situations without taking the oaths, or attending the established worship⁹; though at the same time he imposed on Sclater the obligation of providing fit ministers to perform his clerical duties according to the book of common prayer. In defence of his conduct James maintained that it was incumbent on him to see that no man should suffer because he had the courage to follow the dictates of his conscience; but even this shallow pretext was wanting with respect to another proselyte, Massey, fellow of Merton, whom the king appointed dean of Christchurch, giving him at the time of his appointment a similar dispensation. Whatever he might have thought of the other cases, this was so manifest a violation of the rights which he had promised and sworn to uphold, that it is difficult to conceive by what sophistry the misguided prince could justify it to his own satisfaction¹⁰. 2. The condition of the French refugees continued to claim the public attention. A brief was read in all the churches for their relief, and several tracts were published to excite in their favour the commiseration of the people. Among these was the translation

⁹ Soon after his accession the king had found in the closet and in the strong box of his brother, and in his hand-writing, two papers on the respective claims of the churches of England and Rome, and giving the preference to those of the latter. He shewed them at first as a favour to different individuals, to Barillon, to the archbishop of Canterbury, to whom he said, in a tone of triumph, that whenever they were refuted he would become a protestant (James, *Memoirs*, ii. 8), and to Pepys, to whom he also gave a copy (Evelyn, *Diary*, iii. 181. iv. 279). Evelyn (*ibid.*) and Burnet (ii. 47) did not think Charles capable of composing them, but Halifax (*Character of Charles*, 11) saw no reason to question his

being the author. The same inference must be drawn from the fact that according to Evelyn (*ibid.*) they were "blotted and interlined," and according to Barillon had been corrected in several places, "*comme s'il y avoit mis la main plus d'une fois*," 2 Avril, 1685. Of course the anecdote told by Macpherson, *Hist.* i. 422, must be confounded. In 1686 James permitted them to be printed. They may be seen in Harris, *Charles II.* p. 65.

¹⁰ Gutch, *Miscel.* i. 287, 290, 294. Ellis *Cor.* i. 210. Barillon, 21 Mars. At Gloucester the new mayor refused the oaths in virtue of a similar dispensation. *Id.* 31 Oct.

of a treatise in the French language, written by the celebrated minister Claude, and describing in vivid colours the inhumanity of Louis, and the wrongs of the sufferers¹¹. Barillon complained of it as a libel on his sovereign, and James declared his pleasure in the council that it should be burnt by the hand of the public executioner. Jeffreys objected that it was a foreign book, on foreign matters, and containing nothing against the peace of the realm: but the king replied that it was the common duty of sovereigns to protect each other from the pens of libellers; the obnoxious pamphlet was ignominiously delivered to the flames, and this treatment, while it added to the circulation of the book, excited considerable discontent in the people, and was taken as a sign that James approved in his heart of the persecuting measures pursued by the French monarch¹².

3. Several catholic chapels were established, though the exercise of the catholic worship was still prohibited by law. A colony of Carmelite friars fixed itself in the city, a body of Franciscans in Lincoln's-inn-fields, a community of Benedictine monks at St. James's, and the jesuits opened a large school in the Savoy, which was frequented by protestants as well as catholics, on an understanding that the teachers should not interfere with the religious principles of their pupils¹³.

4. As these novelties were of a nature to beget irritation; so they provoked, as was to be expected, occasional breaches of the peace on the part of the lower classes: but James had prepared an effectual check on the ebullition of popular resentment by the presence of an army consisting of twelve battalions of infantry, and thirty-five squadrons of

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May 5.

Catholic chapels opened.

An army on Hounslow-heath.

¹¹ "Les plaintes des protestants cruellement persecutés dans le royaume de France."

¹² Barillon, 13 Mai. Before this letter reached Paris, Louis had written to the ambassador to abstain from noticing the book,

"ces sortes de livres, perdant ordinairement leur crédit par le peu d'attention, qu'on y fait." 17 Mai.

¹³ James, ii. 79, 80. Barillon, 29 Avril, 6 Mai.

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May 27.

May 24.

Nov. 16.

Catholic privy
counsellors.

cavalry, encamped on Hounslow-heath. Recollecting his employment as general in the French service, he felt a pride in modelling his troops, and fatigued himself and them with repeated inspections and reviews. In the general opinion this army was the best paid, the best appointed, and the best disciplined in Europe. But at the same time rumour was busy in attributing the king's diligence to designs against the religion and liberties of his subjects. It was remarked that several of the officers were catholics; the piety of all good protestants was scandalized by the public celebration of mass in the tent of lord Dunbarton, the second in command¹⁴: and in a short time a printed paper was circulated through the camp, calling on the men "to be valiant for the truth; not to yoke themselves with bloody and idolatrous papists, and to refuse a service the object of which was to set up mass-houses, and to bring the nation under the tyranny of foreigners." That the publication was libellous and seditious, no one could deny: it was traced to Dr. Samuel Johnson, formerly chaplain to lord William Russell, and convicted in the last reign of having published "Julian the apostate," a libel on the Duke of York. For this second offence he was tried at the bar of the king's bench, found guilty, and adjudged to stand thrice in the pillory, to be whipped from Tyburn to Newgate, and to pay a fine of 500 marks: but before his punishment, to save the honour of the clergy, he was solemnly degraded from the order of priesthood in the chapter-house of St. Paul's¹⁵.

5. The king was not content with empowering catholics to hold commissions in the army, or to retain their situations in the universities, he resolved to introduce them into the privy council, and, soon after the declaration of the judges in favour of the

¹⁴ Barillon, 6 Juin, 11 Juillet

¹⁵ State Trials, 1339—1350.

dispensing power, he ordered the lords Powis, Arundel, Belasyse, and Dover, to take their places at the board, without having previously qualified themselves according to law. It was, he maintained, a part of his prerogative to avail himself of the advice of any of his subjects, whatever might be their religious opinions: but the people, instead of admitting the claim, looked upon it as an open avowal of his intention to subvert the protestant establishment. He made at the same time another appointment, which, had it been known, would have added considerably to the public irritation. Of the catholics no one, whether it was owing to the merits of the individual or the arts of Sunderland, had obtained so high a place in his favour and confidence as father Petre. To him had been given the superintendence of the royal chapel; he was lodged in the same apartments at Whitehall which James had occupied when he was duke of York, and he was named a privy counsellor at the same time with the four peers. The catholics were instantly alarmed: they communicated their apprehensions to the queen; and with the aid of her entreaties James was at length persuaded, not, indeed, to revoke the appointment, but to suspend its publication. In effect he waited only for the result of Castlemaine's negociation at Rome, and persuaded himself that when his friend was, as he expected he would be, invested with the episcopal character, less objection would be offered to his introduction into the council¹⁶.
6. Petre repaid the services of Sunderland by the employment of his influence to effect the removal of Sunderland's competitor. The disapprobation, which Rochester constantly expressed in

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July 17.

Disgrace of
Rochester

¹⁶ Ellis, Corresp. i. 149. James (Mémoires), 74, 77. Barillon, 22, 29 Juillet, 21 Nov. On these appointments he observes, "Le mécontentement est grand et général; mais la crainte de s'exposer à de plus grands

dangers retient tous ceux, qui ont quelque chose à perdre. Le Roi d'A. témoigne ouvertement sa joie de se trouver en état de faire des coups hardis et d'autorité." 2 Juil.

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Nov. 12.

Nov. 30.

Dec. 3.

Dec. 19.

council of the measures taken by James, mortified the king: but his resentment was as often checked by the humble submission of that minister to the royal will after he had once delivered his opinion. The two intriguers adopted a new argument. They represented to James that he must never expect to carry the abolition of the test act in parliament, as long as the opposition was led by one of his own ministers, the highest in rank, and the first in influence and patronage¹⁷. This the king admitted; but his reluctance to disgrace an old and tried adherent suggested to him the hope of escaping from the difficulty by the conversion of Rochester to the Roman catholic faith. At his request the earl conversed in private with Dr. Leyburn on two subjects, the real doctrine of the christian church during the first five centuries, and the necessity of an infallible authority in matters of faith: afterwards the question of the real presence was debated before him and the king without any attendants, by the doctors Jane and Patrick on one side, and Leyburn and Godden on the other; and Rochester in conclusion observed that the disputants "had discoursed learnedly, and that he would attentively consider their arguments." The king was disappointed; he complained to Barillon of the obstinacy and insincerity of the treasurer¹⁸; and the latter received from the French envoy a very intelligible hint that the loss of office would result from his adhesion to his religious creed. He was, however, inflexible, and James, after a long delay, communicated to him, but with considerable embarrassment and many tears, his final determination. He had hoped, he said, that Rochester,

¹⁷ Barillon, 23 Sept.; 4, 18, 21 Nov.

¹⁸ Barillon, 12 Dec.; 9 Janv. While James complained on one side of his obstinacy, the zealous protestants complained on

the other, "that he remained so far in suspense as not to declare which side had the better." The True Patriot Vindicated, p. 88.

by conforming to the church of Rome, would have spared him the unpleasant task : but kings must sacrifice their feelings to their duty. That interest which *he* owned and supported, the earl opposed : it was necessary to put an end to such opposition. If time were required for deliberation, he should have it : if not, he might still be assured that his past services would never be forgotten, and that he would always find in his sovereign a friend and protector for himself and his family. What answer was returned we know not : but its import may be collected from the result. James abolished the office of lord high treasurer, whose duties were entrusted to a board of commissioners, and the fallen minister received as a proof of the gratitude of the king lands to the yearly value of 1,700*l.* out of the forfeited estate of lord Grey, and an annuity of 4,000*l.* out of the private estate of James himself, to continue to him and his son for the term of ninety-nine years, but to determine on the death of the survivor¹⁹.

The disgrace of Rochester spread alarm among the friends of the established church. In him they had lost their most powerful support. But though they complained of the past and feared for the future, they did not yet suffer their discontent to goad them to acts of resistance. From the fate of the insurgents under Monmouth they had learned a salutary lesson, and deemed it more expedient to wait with patience for redress from a protestant successor, than to make the uncertain and hazard-

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Jan. 3.

¹⁹ Barillon, 12 Dec. ; 2, 13, 20 Janv. James, ii. 100—102. Dodd, iii. 419. Clar. Corresp. ii. 62, 90, 91, 116. Evelyn, iii. 221. Ellis's Corresp. i. 212, 223, 228. The new commissioners of the treasury are thus described by Barillon : " Mylord Belassis est un homme de qualité qui a beaucoup souffert pour le roi d'A., et pour la religion catholique. Myl. Godolfin a déjà dirigé les finances, et y

est estimé fort habile. Myl. Douvres a été attaché à S. M. B. depuis son enfance, et merite bien cet emploi ; il est riche et econome. Le chev. Erneley est un ancien officier des finances, qui en sait la routine ; et le chev. Fox est immensément riche, et donne du crédit aux autres commissaires." Barillon, 13 Janv.

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Proceedings
in Scotland.
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Feb.

Feb. 26.

March 23.

ous experiment of an appeal to the passions and violence of the people.

Before we close the present chapter, it will be proper to pass in review the principal occurrences in the kingdoms of Scotland and Ireland. 1. In Scotland a violent dissension had broken out between the two chief officers of government, the duke of Queensberry and the earl of Perth, of whom the first was lord treasurer, the second chancellor and a recent proselyte to the catholic worship. Both appealed to the justice of the sovereign, who refused to decide between them, but gladly seized the opportunity of appointing for his representative at the approaching session of parliament the earl of Murray, a man unconnected with either of the parties, and possessing the entire confidence of the king. This appointment led to other arrangements. The treasury was put in commission, by which the duke became only the third person at the board; the government of the castle of Edinburgh was, with his apparent consent, transferred from him to the duke of Gordon; and all that the waning influence of Rochester could effect in favour of Queensberry, whose son had married Rochester's niece, was to make him president of the council with a salary of 1,000*l.* per annum. The real object of these changes was to facilitate in the Scottish parliament the repeal of the test act, as an example for the imitation of the English parliament. The opposition of Queensberry, which the king had anticipated, was after his loss of office a matter of little consequence; the duke of Hamilton had promised his co-operation and that of his numerous dependants; and Mackenzie, lately created viscount Tarbet, pretended to show from the roll of the members, that there existed a large majority at the command of the court. But his assertion was disputed, and the measure itself was strongly opposed by the

two archbishops ; and, after several consultations it was resolved that permission to exercise their respective forms of worship should be granted to the catholics, and the covenanters, but that the repeal or continuation of the test should be left to the discretion of parliament ²⁰.

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A. D. 1686.

April 10.

The session opened with a letter from the king, in which, having given due praise to the loyalty of the Scots, he stated his own attention to their interests, and his wish to extend their commerce, and add to their prosperity. He had instructed his commissioner to establish with their concurrence certain regulations for the opening of a free trade with England, and had sent down an act of amnesty to be passed in parliament, pardoning all rebellions and offences against the crown. In return he asked nothing for himself: the only boon which he expected, was some indulgence for his Roman catholic subjects, that they might enjoy, in common with others, the protection of the laws, without lying under obligations incompatible with their religious creed. The commissioner spoke in a similar strain: but both in his speech, and in the royal letter, all mention of the exact measure of relief was cautiously avoided ²¹.

The king's
letter.
April 29.

The number of the catholics in Scotland was so considerable, that no danger could be feared from *them* in consequence of the toleration of their religion. But that jealousy of the king's designs, which prevailed in England, had penetrated into the neighbouring kingdom ; and the protestant leaders in London, the Scottish refugees in Holland, and even the prince of Orange, through the secret agency of the pensionary Fagel, made every effort to animate the Scots to resistance. The persuasion, that protestantism was in danger, rapidly diffused itself

Formidable
opposition.

²⁰ Barillon, 11 Mars ; 22, 29 Avril. Ellis ²¹ James ii. 64—67. Wodrow, ii. 590.
Corresp. 46, 50, 53, 56, 69, 72, 96, 112.

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A. D. 1686.

through the nation. The more religious could not be convinced that it was lawful to connive at the exercise of a religion, which they had been taught to believe idolatrous; and men, who for years had felt no sense of religion at all, were suddenly inspired with a holy impulse to put down the errors of popery together with the hopes of the papists²². From the support, which he had always given to the episcopal church of Scotland, James conceived himself entitled to its gratitude and services; but of the bishops, with the exception of Ross and Paterson, some were passive, others decidedly hostile; and of the clergy the greater part laboured to create by their discourse and their sermons the most decided opposition: while the presbyterians, their ancient adversaries, stood aloof, silent but not indifferent spectators of the contest. In the council, though an appearance of unanimity was preserved, a diversity of inclination existed—even Hamilton, notwithstanding his engagement, gave but a faint and qualified assent²³—and in parliament, according to the ancient policy of several families, if the father supported the court, the son placed himself in the ranks of its opponents. The patrons of the measure began to fear the result. To reduce the number of their adversaries, they ordered several military officers to rejoin their regiments; and to influence the minds of the timid, they removed other members from their situations under the government. But these proceedings added to the obstinacy of their opponents; and the predominant feeling in the house was sufficiently manifested by the guarded answer returned to the

²² "God," says Fountainhall, "raised up men to appear for the protestant interest, who were not very strict in any religion." *State Trials*, xi. 1175.

²³ "This excuse was made for duke Hamilton and the president's going alongst, that by staying in that party and giving

them moderate counsels, they could do the protestant religion better service." *Ibid.* On the other hand the king did not believe that Hamilton acted sincerely, and received a similar apology, *qu'il n'a pas cru devoir hazarder son credit en s'opposant inutilement au torrent.* Barillon, 27 Mai.

king's speech, that "they would take the case of the Roman catholics into their serious and dutiful consideration, and go as great lengths as their consciences would allow:" the first time, it was observed that a Scottish parliament had talked of conscience since the restoration²⁴.

At length the lords of the articles laid the draught of an act before the house. It provoked a long and animated debate, in which several of the speakers displayed the bitterness of their zeal in the most inflammatory language. "Our fathers," exclaimed a voice, "are reproached with having sold their king: let it not be our reproach that we have sold our God:" while another sounded in their ears the imprecations against the w— of Babylon, from the book of Revelations²⁵. The draught was returned to the lords of articles for amendment, and was reproduced in the following form: "that those of his majesty's subjects who are of the Romish religion, are, and shall be, under the protection of his majesty's government and laws for their private and civil interests; and shall not for the exercise of their religion in their private houses (all public worship being hereby excluded), incur the danger of sanguinary and other punishments contained in any acts of parliament made against the same." By this form the benefit was restricted to persons at that time professing, not who might afterwards profess, the catholic religion: whether it would have passed with such a restriction is uncertain: but the king was already offended, and the commissioner received the royal command to prorogue the parliament²⁶.

This sudden resolution did not proceed from any change of sentiment. James persisted in his design, but condemned him-

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A. D. 1686.
May 6.

Prorogation.
May 27.

June 13.

The king dispenses with the test.

²⁴ Wodrow, ii. 591. App. 158.

her with fire." Rev. xvii. 16.

²⁵ Barillon, 1 Juillet. Wodrow, ii. App. 161, "that they should eat her flesh, and burn

²⁶ Wodrow, ii. 594. App. 160. Fountain-hall, in State Trials, xi. 1170—117.

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Sept. 9.
Sept. 14.
Sept. 16.
Nov. 11.
Nov. 18.

Proclaims
liberty of
conscience.

1687.
Feb. 12.
and
July 5.

self of folly in having asked as a favour what he could have granted by his own authority. After an interval of a few months he despatched a succession of letters to the council, ordering them to extend the protection of government to his catholic as well as his protestant subjects, authorising the exercise of the catholic worship in private houses, and enjoining that certain individuals by name should be admitted to offices in the state, as well as the conformist clergy in general to livings in the church, without the obligation of taking the test ²⁷.

After this preparatory step he ventured on the execution of the great measure, which he meditated. By two successive proclamations he declared his resolution that, as he would not force the conscience of any man himself, so he would not allow any man to force the consciences of others; his intention of preserving inviolate to the bishops and clergy of the established church of Scotland their churches, rights, and property, and to laymen the possession of all church and abbey lands which had been secularized at the reformation; his grant of full and free toleration to presbyterians, quakers, and catholics, so that they might exercise their respective worships in houses and chapels, but not in field-conventicles, for which there could be no longer any pretext; his suspension of the cruel and sanguinary statutes against catholics, which had been made during the minority and without the consent of his grandfather, by men in rebellion against queen Mary, their lawful sovereign, and which were in their provisions so abhorrent from the principles of humanity that for years they had not been carried into execution; and his design of employing men in his service without respect of their religion, and in proportion to their merits and quali-

²⁷ Fountainhall, 1177.

fications. That by this measure the king took upon himself to suspend for a time at least, the execution of numerous laws, cannot be denied: but that he might legally do it, seems to follow from the unlimited authority in ecclesiastical matters which the Scottish legislature had previously conferred on the sovereign ²⁸.

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By the clergy of the episcopal church in Scotland this declaration was viewed with feelings of abhorrence. It licensed in their opinion the existence of schism, and blasphemy, and idolatry. Nor did the presbyterians themselves, who would reap the benefits equally with the catholics, unite in approving it. The more rigorous deemed it a sin to have any communication with James Stuart, "an apostate, bigotted, excommunicated papist, under the malediction of the Mediator, yea, heir to the imprecation of his grandfather." They maintained that he could not exercise regal authority, because he had not taken the oath required by law; and that the establishment of toleration was not within the power of the civil magistrate, because toleration was "inconsistent with the law of God, its object to set up tyranny, its tendency to unite the hearts of protestants with papists, as if the latter were neighbours, and by taking in bishops and quakers as well as papists, to legalize heresy and blasphemy no less than idolatry." But by the majority of the presbyterian ministers the boon was accepted with cheerfulness. It was no concern of theirs to inquire by what authority, or for what object it had been granted. To preach the gospel was their duty: hitherto they had been restrained by the strong hand of power: it would be extraordinary, indeed, if they were now to restrain themselves, when the obstacle was removed.

Its reception
in Scotland.

²⁸ State Tracts, ii. 285. Fountainhall, 1179, 1181.

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State of
Ireland.

Under this impression they met in Edinburgh, and subscribed an address to the king, expressive of their loyalty to his person, their gratitude for the indulgence, and their resolution to merit by their conduct the continuation of his favour ²⁹.

2. In Ireland the same causes of dissension, which had so long agitated that kingdom, were still in constant operation,—diversity of religion and opposition of interests. Of the two the latter proved the more dangerous and irritating evil ³⁰. Where the catholics formed the great majority of the population it was seldom safe, frequently impracticable, to execute the intolerant laws which inflicted penalties on the professors, death on the ministers, of their religion: but the opposition between the English and Irish interests, as they were called, was continually kept alive by the daily fears of one party, and the protracted sufferings of the other. The English interest, that is, the planters and adventurers from England, who had obtained the lands of the natives during a period of rebellion and anarchy, trembled for their security, and lived in perpetual fear of a reaction; and the Irish interest, the men of native descent, among whom numbers had been reduced to poverty for the enrichment of strangers, looked forward to the time when the sufferers might recover the possessions of their fathers by the exclusion of these foreign intruders. The two parties regarded each other as sworn enemies; they attributed to one another the most barbarous counsels; they suffered their passions to be blown into a flame by the most improbable and unfounded rumours; and they watched each other like two hostile armies, anxiously looking for the first favourable opportunity of surprise

²⁹ Wodrow, ii. 624. App. 187, 192, 194, 195. Fountainhall, State Trials, x. 735; xi. 1179.

³⁰ "The contest here is not about religion, but between English and Irish, and that is the truth." Clarendon to Rochester, i. 559.

and victory. The duty of maintaining tranquillity between them had for some years been painfully but successfully exercised by the vigilance and firmness of the duke of Ormond, the lord lieutenant: nor was it till the last days of his reign, when he had gained the ascendancy over his opponents in England, that Charles took into serious consideration the state of things in the sister island. Here with the aid of the church and its doctrine of passive obedience he had put down the men whom he considered enemies of the throne; but in Ireland he saw, or thought he saw, that almost all who exercised the civil or the military authority were republicans by principle, because they derived their wealth and importance from the conquests and regulations of the late commonwealth. It was resolved to remove them gradually from their situations, and to introduce into offices of trust and power natives of monarchical principles, and consequently in a great proportion catholics, who, as they would derive the benefit from the favour, would attach themselves through interest to the person, of the sovereign. At the same time he determined to entrust this delicate task to another lord lieutenant, whether it was suspected that Ormond would disapprove of the plan, or that an honourable retreat was required for Rochester, to shelter him from the unceasing attacks of his rivals in the ministry. The duke received notice that he would be recalled at the expiration of six months, and a new patent was made out for Rochester as his successor: but the death of Charles disturbed this arrangement; Rochester was raised to the office of lord treasurer, and on the departure of Ormond the reins of government fell into the hands of the archbishop of Armagh and lord Granard, with the title of lords justices³¹. James, however, did not lose sight

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A. D. 1687.

1683.

³¹ Clar. Corresp. i. 96, 97, 98, 100, 104, 108, 112, 158.

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A. D. 1685.

of the new system, which had been settled with his concurrence during the reign of his brother. After the suppression of Monmouth's rebellion, he ordered the militia to be disbanded and disarmed in Ireland as well as in England; an order which in the former kingdom created considerable alarm. There the militia consisted principally of the English planters, who alone had been allowed by law to carry arms, and who, when these were taken from them, considered themselves without defence against the enmity of the natives. Reports of intended massacres were immediately circulated, and numbers under the impulse of terror disposed of their property and quitted the island. But it soon appeared that the alarm was groundless, and that the regular army, amounting to eight thousand men, was able to preserve the public tranquillity³².

Clarendon
lord lieutenant.

Sunderland had been pointed out to James as a fit person to fill the office of chief governor of Ireland. But that wily statesman had no wish to be exiled from court, and to leave his competitor in the undisputed possession of power. His intrigues were successful; he even contrived to diminish the influence of Rochester in the cabinet, by procuring the appointment of Clarendon, Rochester's brother, to the office which he himself had declined³³. To Clarendon the king explained his intention with respect to the government of Ireland. 1. It was always to be borne in mind that Ireland was a conquered country, and that of course the English ascendancy and the act of settlement must be maintained. At the same time it would be for the lord lieutenant to devise some means of rewarding several of the native Irish, who had rendered important services to the crown,

³² Ibid. i. 158. In the "secret consults" it is said that "thousands" fled to England and five hundred to the plantations (p. 56).

This amount is much overrated. Bonrepaus.
³³ Barillon, 13 Sep. 1685.

and had nevertheless been deprived of their patrimony. 2. The king was a catholic, most of the natives were catholics : it was his will that they should enjoy the free exercise of their worship, that civil disqualifications for religious opinions should cease, and that in Ireland catholics should be admitted to offices in the state, and to the freedom of corporations, equally with his protestant subjects. 3. It should be remembered that in the army were to be found many individuals of dangerous principles, whom it would be necessary to remove : and for that purpose he should reserve to himself, as his brother had done in the patent to lord Rochester, the power of granting military commissions ³⁴.

With these instructions Clarendon took possession of his government. In a short time three catholic lawyers were raised to the bench ; several catholics were named of the privy council ; others, as had been the custom before the rebellion, filled the offices of sheriffs and magistrates ; and out of the rents of two vacant bishoprics the sum of 2190*l.* was set aside to be distributed annually among the twelve catholic prelates ³⁵. On all these points Clarendon, though he deeply condemned, faithfully executed, the orders of the sovereign : but the reform of the standing army was entrusted to a more confidential agent, Richard Talbot, with whom the reader is already acquainted by the title of earl of Tyrconnel. He was descended from one of the first English settlers in Ireland, had entered at an early age into the service of James, and had merited by his fidelity to his master to be selected by Oates for one of his victims. By a timely flight to the continent he escaped from the fangs of the informer ; and on his return was rewarded by the king with rank

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A. D. 1685.

1686.
New ar-
rangements.
Jan. 9.

April 10.

³⁴ Clar. Corresp. i. 339, 461 ; ii. 25.

³⁵ Ibid. i. 576 ; ii. 47.

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VIII.
A. D. 1686.

June 5.

and office. Tyrconnel was brave and generous, and devoted to the person of his benefactor ; but rash, impetuous, and confident. To spare the feelings of the lord lieutenant James compelled him to receive his commission of lieutenant-general from Clarendon : but he executed his orders with a vigour, perhaps violence, which did not earn the approbation of the chief governor. Every officer suspected, whether justly or unjustly mattered not, of cherishing revolutionary principles, was cashiered ; and, under pretence of old age or deficient stature, every fourth man among the privates was discharged³⁶. Of the first class many accepted the commissions offered them by the prince of Orange in the British regiments serving in Holland, and afterwards gratified their revenge by accompanying him in his subsequent expedition into England. The others carried their complaints into every part of Ireland ; their discharge was attributed to a design of raising an army of catholics ; the old alarm of a massacre was revived, and several families emigrated to England. But the king, and the lord lieutenant by his order, declared that the act of settlement should be religiously observed, and the panic in a short time subsided³⁷.

Clarendon
superseded
by Tyr-
connel.

Having reformed the army, Tyrconnel repaired to court, to claim the reward of his services. Clarendon was soon apprized of the lot which awaited him : from his official correspondence with Sunderland he foresaw that he could expect nothing but hostility from the secretary, whom he suspected of concealing his despatches from the knowledge of the sovereign ; and it was plain that the intriguers who sought the fall of his brother would involve him in the same disgrace. At length Rochester was

1687.
Jan. 1.

³⁶ Ibid. i. 342, 435. In the old army the catholics amounted to two thousand. The recruits were two thousand three hundred, of

whom three hundred only were protestants. Ibid. 502, 514, 534, 575.

³⁷ Ibid. 380, 447, 464.

removed, and Clarendon received notice of his recal : but Tyrconnel, who aspired to the government of Ireland, met with an unexpected check to his ambition. The moderate catholics objected to his violence and temerity ; the queen aided them with her influence ; and the earl of Powis, the most wealthy but not the most able of the catholic counsellors, put himself forward as a competitor. But Sunderland and Petre, who had formerly pledged their word to Tyrconnel, religiously fulfilled their engagement, and with their aid he obtained the object of his wishes, not in the capacity of lord lieutenant, but with the inferior title of lord deputy. Powis, after the refusal of several other offices, was content to accept the higher rank of marquess ; and Clarendon, having resigned the privy seal to lord Arundel, received from the king a pension of 2,000*l.* per annum ³⁸.

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A. D. 1687.

March 10.

March 14.

It had been given in charge to Tyrconnel to raise the Irish to a decided superiority over the English "interest," to the end that Ireland might offer a secure asylum to James and his friends, if by any subsequent revolution he should be driven from the English throne : but the lord deputy had a further and more national object in view, to render his native country independent of England, if James should die without male issue, and the prince and princess of Orange should inherit the crown. For this purpose he employed the agency of Bonrepaus in England, and of Seignelay in France, to acquaint Louis XIV. with his intention, and to solicit his powerful aid. The French monarch, who looked on the prince of Orange as the most formidable of his enemies, received the overture with pleasure, and gave to Tyrconnel strong assurances of support ; and it was mutually

Tyrconnel's
real objects.

Aug. 25.

Sept. 29.

³⁸ Clar. Corresp. ii. 10, 26, 68, 134. Barillon, Jan. 27 ; Fev. 13, 20 ; Mars 20, 24. N. S.

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agreed that the project and all the subsequent proceedings should be carefully withheld not only from the knowledge of Sunderland, to whom it was said that Tyrconnel was bound to pay the yearly sum of 4000*l.* out of his emoluments, but also from that of Barillon, whose intimacy with Sunderland exposed him to the suspicion of betraying every secret to that minister ³⁹.

His proceed-
ings.

1688.

April.

In the prosecution of these views Tyrconnel turned his attention to the courts of law and the different corporations. On his arrival he found three catholics, in a short time he left but three protestants, on the bench; and in imitation of the proceedings in England, he obtained by promises, or intimidation, or writs of *quo warranto*, possession of most of the charters formerly granted to the cities and boroughs, and issued in their place others, which secured the nomination of members of parliament in favour of the court. Conceiving himself sufficiently powerful to bear down all opposition, he solicited of the king permission to hold a parliament, in which, under the pretext of passing a supplementary act for the relief of the Irish claimants under the act of settlement, he might restore to the natives most of the property, of which they had been deprived during the sway of the commonwealth. Two of the judges, Nugent and Rice, explained the project to James, who had formerly listened to the representations of Tyrconnel on the same subject; but when he learned from his English counsellors the probable consequences of such an act in the dismemberment of Ireland from the English crown ⁴⁰, he refused his assent, and seemed to lend

³⁹ For this interesting fact we are indebted to the industry of Mazure, who discovered it in the despatches of Bonrepaus. Mazure, ii. 287. See note (D).

⁴⁰ When this was first proposed by Tyrconnel, Barillon writes, "Le renversement de cet établissement fait en faveur des re-

belles et des officiers de Cromwell est regardé ici comme ce qu'il y a de plus important, et s'il peut être exécuté sans opposition, ce sera une entière separation de l'Irlande d'avec l'Angleterre; c'est le sentiment général des Anglais." Barillon, 16 Oct. 1687. The pretext for it arose from this circumstance,

a favourable ear to those, who advised the removal of the lord deputy. Sunderland in his apology (but the reader will recollect that it was written after the revolution, and to mitigate the odium which he had incurred), claims the merit of having caused the failure of this project, and moreover of having rejected (what he was never known to have done on any other occasion) a bribe of 40,000*l.* offered by Tyrconnel. The public, however, gave the credit to the opposition of the lords Powis and Belasyse, the latter of whom was reported to have said that the lord deputy was fool and madman enough to ruin ten kingdoms⁴¹. This was the last transaction of importance with respect to the state of Ireland, at the time when the prince of Orange landed in England.

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that many of the Irish, who by the act of settlement ought to have been restored to their estates, as soon as the existing occupants could be reprimed, had never been restored in fact because the fund for reprimals was soon exhausted. *Clar. Corresp.* i. 560.

⁴¹ Secret Consults, 119. This tract, which was written by a warm partisan of king William at the time in which James was in possession of Ireland, though often cited, is

from its frequent contradiction of more authentic documents, entitled to very little credit. It may show what reports circulated in Ireland, but cannot be assumed as authority for facts. Even Ralph, who was obliged to have recourse to it for facts, deemed himself authorised to desert it, and give to those facts "such a turn, as seemed to him best to tally with the characters of the persons spoken of, and the general state of things," i. 975.

CHAP. IX.

JAMES II.

CLOSETINGS AND REMOVALS—LIBERTY OF CONSCIENCE—CONTESTS WITH THE TWO UNIVERSITIES—THE NUNCIO—CASTLEMAINE—PETRE—CAUSES OF DISTRUST BETWEEN THE KING AND THE PRINCE—CONDUCT AND SECRET PREPARATIONS OF THE LATTER—INCREDULITY OF JAMES—BIRTH OF A PRINCE OF WALES—TRIAL OF THE SEVEN BISHOPS—LOUIS DECLARES WAR AGAINST THE EMPIRE—ALARM OF THE KING—HE SEEKS TO CONCILIATE THE STATES—AND HIS OWN SUBJECTS—DECLARATION OF THE PRINCE—HE SAILS AND IS DRIVEN BACK—PREPARATIONS OF THE KING—DISGRACE OF SUNDERLAND—THE PRINCE SAILS, AND LANDS NEAR EXETER—DESERTION OF LORD CORNBURY—KING GOES TO THE ARMY AND RETURNS—MORE DESERTIONS—THE QUEEN AND HER SON ESCAPE TO FRANCE—THE KING IS INTERCEPTED AT FAVERSHAM—RETURNS TO LONDON—IS ORDERED TO QUIT BY THE PRINCE—ESCAPES FROM ROCHESTER—LANDS IN FRANCE.

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A.D. 1687.

The "clo-
setings."

TWO years had now elapsed since the accession of James. His popularity was already gone; the hopes, excited by his first speech, had been blighted by his subsequent conduct; and his assumption of the dispensing power, joined to the reckless and irritating manner in which he exercised it, had taught the friends of the established church to question their

favourite doctrine of passive obedience. But the king, though aware of this change of public opinion, clung the more obstinately to his purpose; and, to secure a majority in the next session of parliament, he resolved to exact from every public functionary the promise of his vote as the condition of his remaining in office. With this view he had recourse to private conferences, which obtained the denomination of “closetings.” Of the men exposed to that ordeal there were many who professed their readiness to submit their own judgment to the superior wisdom of the sovereign: but there were also many who either boldly avowed their persuasion, that the test acts were passed for the security of the church, and therefore, if necessary under a protestant, must be still more necessary under a catholic, monarch; or sufficiently intimated their opinion, while with more courtly language they begged to be excused from answering, because they could form no judgment till the question had been debated in parliament. James was accustomed to reply that he sought nothing but freedom of conscience, the natural right of man, a right so evident that he would not insult their judgment by undertaking to prove it. But he would deny that the test acts were enacted for the preservation of the church—that was only the pretext—the real motive of those with whom they originated was to take from the throne the services of a body of men strongly devoted to its interest: but, even were it otherwise, the catholics formed, and for a long course of years must form, so small a minority among the people, that it was ridiculous to apprehend from them any danger to the established church. But what, he would ask, had been the consequence of penal laws on account of religion? Instead of putting down the non-conformists, they had engendered jealousies, and heart-burnings, and per-

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secution. Repeal them, and dissension would cease ; men of different sects would look on each other as brothers, and all would unite in furthering the prosperity of the kingdom. In conclusion he observed that he would never force any person's conscience ; men must act as they judged most fitting ; but they could not expect him to keep in employment those who would use the influence of office to oppose the measures which he deemed it his duty to pursue¹.

And removals
from office.

This menace was put in execution : but in many instances it failed of success, and men seemed more desirous to obtain the honour of deprivation than to preserve the emoluments of office. The lords Shrewsbury, Lumley, and Newport, vice-admiral Herbert, and several others, cheerfully resigned their respective employments and commands ; and the royal advisers, among whom from this period we are to number Penn, the celebrated quaker, seized the opportunity to wean the king from his notions in favour of the established church, and to turn his attention to the dissenters. From the churchmen, with all their pretensions to loyalty, it was now plain that he could expect no aid. They had already displayed, some an open, others a masked, hostility. But let him divest himself of his prejudices against other religionists ; let him win their services by employing his dispensing power in their favour ; let him establish by proclamation in England, as he had already done in Scotland, universal liberty of conscience. Every class of non-conformists would be eager to display their gratitude ; and interest, if not affection, would bind them to support the royal prerogative. He might then call a new parliament ; the friends

¹ This account of the reasoning of the king, and of the answers of the closetted, is taken from Barillon, 17 Mars, 1687. See

also the Ellis Correspondence, i. 235, 259, 265, 302.

of religious liberty would rally round the throne, and the repeal of every penal statute would be accomplished without difficulty.

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Under this impression James addressed a short speech to the privy council. During the four last reigns, he said, law upon law had been passed to enforce uniformity of doctrine. But experience had shown the uselessness of such enactments. Under them dissent had increased: they had led in his father's time to the destruction of the government in church and state; they had perpetuated to the present hour division in the nation, and all those evils which necessarily grow out of civil dissension. It was time to put an end to such a state of things. Conscience could not be forced; persecution was incompatible with the doctrines of christianity; and it was therefore his resolve to grant religious liberty to all his subjects. In a few days the royal proclamation appeared. Though calculated to produce the same effect as the previous declaration in Scotland, it was expressed in very different language. As the English law did not recognize absolute power in the sovereign, nor give to the head of the church unlimited authority in ecclesiastical matters, he did not pretend to "cass, disannul, and remove," as he had done in his other kingdom, but was content "with suspending the execution of all penal laws for religious offences, and with forbidding the imposition of religious oaths or tests as qualifications for office;" to which he subjoined an intimation, that he had no doubt of the concurrence of both houses of parliament in these two measures at their next meeting².

Declaration
of liberty of
conscience.
March 18.

April 4.

Addresses of
thanks.

By the different bodies of non-conformists the boon was

² Gazette, 2231.

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received with feelings of gratitude and exultation. They paused not to consider its legality, or to inquire whether the prince, who thus suspended at his pleasure the execution of one description of laws, might not on subsequent occasions with equal right set aside the execution of others. In the delirium of their joy they crowded round the throne to express their gratitude for the benefit of religious liberty. The example was shown by the anabaptists; the quakers followed; then the independents; next came the presbyterians; and after them the catholics, who were careful to attest their satisfaction that the benefit was extended to all christian sects without exception, and their pride that it had proceeded from a prince of their own communion. James received these addresses with self-gratulation. He boasted that he had made his subjects an united people, that he had changed those, whom persecution had before rendered the most bitter enemies, into firm and interested supporters, of the throne³.

Discontent of
the church-
men.

But in all this there was much of delusion. If he had gained on one hand, he had lost on the other. The declaration confirmed the existing estrangement of the churchmen, who placed little reliance on his promise to preserve all the rights of the bishops and clergy, when they suspected him of a design to raise his own church to a superiority over theirs. There was another circumstance which added to their alarm, a rapid and unexpected defection from the pale of the establishment: for

³ Kennet, 463—465. Echard, 1084. Ellis Correspondence, 260, 269, 274, 285. Gazette, 2234, 2238, 2241, 2243, 2244. Barillon, 28 Avril; 12 Mai; 2 Juin. The quakers, that they might, without abandoning their principles, conform to the etiquette of the court, left their hats in Sunderland's office, so that they might of necessity be un-

covered when they were introduced to the king. Barillon, 12 Mai. There were also addresses from the bishops and clergy of Chester, Durham, Lincoln, Lichfield and Coventry, and St. David's, and the chapter of the collegiate church of Rippon, but chiefly to thank the king for his promise of preserving the rights of the clergy.

numbers, who to avoid the penalties, had conformed to the legal form of worship, withdrew, as soon as it could be done with impunity, to attend those religious meetings which accorded better with their own sentiments ⁴. In such circumstances they naturally sought to make allies of those whom they had formerly persecuted, and to infuse their own jealousies into other protestant societies. They maintained that James had no right to the merit which he claimed; that he was at heart an enemy to liberty of conscience; that his real object was to blind the eyes of protestants, till he had placed himself in a condition to oppress both churchmen and dissenters. They had before them the example of the king of France and the duke of Savoy. James would act like those princes. In a few years the assertor of religious freedom would throw off the mask, and confine liberty of worship to the professors of his own creed. He had a standing army ready to draw the sword at his nod: he claimed a right to suspend the execution of the laws: where then could be the security for protestants whether they belonged or did not belong to the established church. These suggestions made impression: the feelings of gratitude were checked by doubts and apprehensions; and James himself, whether it was through the precipitancy of his zeal, or the credulity with which he listened to the counsels of others, contrived by his own conduct to confirm the charges and predictions of his enemies ⁵.

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1. It was obviously the interest of a prince in his circumstances to abstain from every act which might be interpreted as an encroachment on the rights of the established church; and

Dispute with
the university
of Cambridge.

⁴ See Evelyn's Diary, Ap. 10. "There was a wonderful concourse of people at the dissenters' meeting house in this parish, and the parish church (Deptford) left exceeding

thin. What this will end in, God Almighty knows." iii. 228.

⁵ Echard, 1085. Barillon, 17 Avril, 12 Mai, 2 Juin, &c. Burnet, iii. 153.

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Feb. 7.

Feb. 21.

Feb. 24.

March 11.

yet he seems to have chosen this very time to indulge in freaks of arbitrary power, which proved how little he cared for the immunities of the clerical bodies, and how much he despised their enmity and resentment. Some one had suggested to him that it would be highly beneficial, if a few catholics were admitted to reside in the universities on the same footing with protestants : the experiment had been tried in Germany with the most happy result ; and those antipathies, which usually divide religious sects, had been insensibly softened down by the intercourse of social life. This was the avowed, but there was another more secret, motive, the hope of inducing men to profess themselves catholics, when they saw that the honours of the university were equally accessible to the members of both communions. James sent a mandatory letter to Dr. Peachell, the vice-chancellor of the university of Cambridge, to admit to the degree of master of arts, without exacting from him the usual oaths, one Alban Francis, a Benedictine monk, and catholic missionary in that neighbourhood. It was natural that the vice-chancellor should demur : he ascertained, though in an irregular manner, the sense of the senate, and a message was taken to Francis by the esquire-beadles, that his admission would be granted subject to the usual qualification. A second mandate was sent similar to the first, and, after a long delay, a petition was returned to the king, representing the reasons on which the senate had proceeded. That degrees had been conferred without any oaths on the Mahommedan secretary to the ambassador of Morocco, on foreign gentlemen in the service of foreign envoys, and on natives of the rank of noblemen in the university, could not be denied : but it was contended that the case of Francis differed from all these : it was not with him a merely honorary distinction ; his admission would open a gap through which men of all reli-

gious persuasions might find their way into the senate, and vote on matters highly interesting not only to that body, but to the established church. It was now no longer a question whether Francis should be admitted, but whether the royal authority should be despised with impunity, and the unfortunate vice-chancellor was summoned before the ecclesiastical commission to answer for his disobedience. He pleaded in his favour the several statutes, and his duty of enforcing those statutes: the crown lawyers replied, that the university had not exacted the oaths in the case of Dr. Lightfoot, that there was no instance of the refusal to obey a mandatory letter from the king, and that it was not to be tolerated that a literary body should presume to deprive the crown of the dispensing power, which had been awarded to it by the decision of the judges. In conclusion Peachell was deprived of his office, and suspended during pleasure from the mastership of Magdalen college: and this judgment was followed by a sort of compromise, in consequence of which the university yielded so far as to elect a new vice-chancellor, and the king on his part suffered the pretensions of Francis to fall into oblivion ⁶.

This dispute was yet pending, when James found himself engaged in a still more irritating contest with the university of Oxford. Dr. Clarke, the president of Magdalen college,

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April 21.

May 7.

And with
that of
Oxford.

⁶ State Trials, xi. 1315—1340. James, ii. 125—127. Barillon, 19 Mai. Hist. of Eccl. Commission, 25. Preparatory to the appearance of Peachell before the commissioners, was published from the king's press a dispensation granted to the universities by queen Elizabeth, permitting them, in opposition to the statute, to pray in Latin, "*statuto illo predicto de usu publicarum precum in contrarium non obstante.*" Then followed certain queries. If the queen had the power

to dispense with the law in a matter of such importance as the public worship in the university, had not the king power to dispense in so trifling a matter as the taking an oath by a single master of arts? If the university had no other justification of their conduct in the daily violation of the statute but the queen's dispensation, how could they justify themselves in their resistance to the king's dispensation? See it in Ralph, 959, note.

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April 4.

one of the richest foundations in Europe, died; and letters mandatory were despatched to the fellows, recommending Mr. Anthony Farmer to their choice for the vacant office. Farmer had not the qualifications required by the statutes: though an inmate, he was not a fellow, either of that college or of New college in the same university: neither was he distinguished by the extent of his learning, or the regularity of his morals: his sole title to the royal favour sprung from the adroitness with which he had insinuated himself into the good opinion of some among the king's advisers, as a man of loyal principles, and well disposed to the catholic interest. In Oxford it was immediately rumoured that he had conformed, or promised to conform, to the church of Rome: the fellows were exhorted not to place a papist at their head; and were told that to submit to the mandate would be to betray the rights of the college and the interests of religion. At length they subscribed a petition stating the ineligibility of Farmer, and praying that they might either proceed to a free election, or receive a different recommendation from the king. Had this paper been delivered to James, it might perhaps have spared him the mortification which followed; but Sunderland, having kept it four days, returned for answer that the royal will must be obeyed⁷. The fellows met for the purpose of election, and Mr. Hough, one of their number, obtaining the plurality of suffrages, was admitted president by the ordinary visitor, the bishop of Winchester. Both parties immediately appealed to the king. The fellows pleaded that their proceedings had been in strict accordance with the

April 15.

April 16.

⁷ If Dr. Thomas Smith's account of the proceedings deserve credit, it is plain that the petition was not in the first place presented to the king, but given to Sunderland for presentation; and there is moreover reason to

believe that the king knew nothing of the petition, till after Dr. Hough's election. Macph. papers, i. 274; and State Trials, xii, 54, 55, 69.

statutes and their oaths : the patrons of Farmer, that they had added insult to contumacy ; they had not only disobeyed the mandate, but had solicited the king to name another person, and then, without waiting for that nomination, had chosen a president themselves. By James the case was referred to the ecclesiastical commission, which after several hearings declared Hough's election void, because a mandate to choose one person implied a prohibition of choosing any other, but advised the king to desist from the nomination of Farmer on account of the doubts which had been thrown on his moral character.

A pause of six weeks ensued. Hough, in defiance of the judgment pronounced against him, continued to exercise the office of president, and James sought the most eligible means of conciliating the fellows without compromising his authority. At length he sent a mandate for a new election, recommending at the same time for their choice Dr. Parker, bishop of Oxford ; but his imprudence had now evoked a spirit of resistance too fierce and obstinate to be laid by the terrors of the prerogative ; and Parker himself was obnoxious as a prelate of courtly principles and suspected orthodoxy. The fellows replied that they could not obey : the office was not vacant ; Dr. Hough stood in actual and legal possession. Thus the contest was renewed, and the members of a small literary society placed themselves in hostile array against the power of the sovereign. They depended on what they considered the righteousness of their cause, and were cheered by the assurance that they had with them the good wishes of the university and of the church of England. James, on the other hand, looked upon them as men who sought to invade his just rights, as apostates from the doctrine of passive obedience, which they had sanctioned by their celebrated

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June 6.
June 22.
June 29.

Dr. Parker,
president of
Magdalen
college.

Aug. 14.

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Sept. 4.

decree, issued but four years before, and as the tools of his secret and designing enemies, whose object it was to breed an open division between him and the churchmen. Pride forbade him to yield: when, in his summer progress, he came to Oxford, he received the deputations from the other colleges with many gracious expressions: but at the sight of the contumacious fellows he was unable to control his anger; he addressed them with an asperity of language, and marks of indignation ill-befitting a king; and when on their knees they offered him their petition, bade them begone, he would receive nothing from them till they had obeyed his mandate, and admitted the bishop for their president.

Expulsion of
the fellows.

Oct. 21.

Oct. 22.

The fellows had borne unmoved the frowns of the sovereign; they had equally resisted the prudential arguments of Penn and of others calling themselves their friends; they were now summoned before the bishop of Chester, Wright, chief justice of the King's Bench, and Jenner, a baron of the Exchequer, members of the ecclesiastical commission, and extraordinary visitors of the college. The first measure of these judges was to annul the election of Dr. Hough, who in return addressed them in these words: "My lords, I do hereby protest against all your proceedings, and against all that you have done or shall do, in prejudice of me and of my right, as illegal, unjust, and null: and therefore I appeal to my sovereign lord the king in his courts of justice." The spectators expressed their approbation by applause: but the court proceeded to instal the bishop of Oxford by his proxy, to whom they gave by force possession of the president's lodgings. With this advantage the king would gladly have been satisfied; for he had long wished to extricate himself from a quarrel, which he felt as a degradation, and in which his claim had been privately pronounced illegal

by the chief justice Herbert⁸. But the intractable spirit of the fellows still revolted: though they had been induced to make a qualified promise of obedience "as far as was lawful and agreeable to the statutes," they revoked their word the next day: a new form of submission was offered but refused, and five-and-twenty were not only deprived by the visitors, but declared incapable with Dr. Hough of holding ecclesiastical preferment, or, if laymen, of being admitted to holy orders. Thus after a war of nine months the king remained master of the field: his opponents were disseised of their freeholds; fourteen of the demies, who imitated their contumacy, shared their punishment; and the college, in virtue of successive letters mandatory, was repeopled with new men, a motley colony taken from the professors of both religions. It was, however, a victory of which he had no reason to be proud; for it betrayed the hollowness of his pretensions to good faith and sincerity, and earned him the enmity of the great body of the clergy, and of all who were devoted to the interests of the church⁹.

At the very commencement of these contests with the universities, the moderate catholics at court attempted to oppose to the mischievous counsels of Petre and Sunderland the prudence and influence of Mansuete, the king's confessor, a franciscan friar from Lorrain. But the struggle quickly ended in the total discomfiture of the assailants: their champion was sent back to his native country with the character of a good man, but unequal to so important an office; and his place was

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Oct. 25.
Nov. 16.
Dec. 10.

The nuncio
publicly re-
ceived at
court.

⁸ "I utterly denied that dispensation to be of any force at all, because there was a particular right and interest vested in the members of that college, as there is in the members of many other corporations, of choosing their own head." State Trials, xi. 1263.

⁹ James, ii. 119—124. Kennet, 475—481. Burnet, iii. 143—150, and notes. History of Ecclesiastical Commission, 30—52; and the collection of documents in State Trials, xii. 1—112.

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May 1.

July 3.

supplied by father Warner, rector of the college at St. Omer¹⁰. 'This, however, was not the only mortification which awaited the moderate party. Hitherto they had prevailed (and their advice had been approved by the court of Rome), that d'Adda should execute his commission of nuncio to the king without the public assumption of that character. But James was taught to believe that the incognito which d'Adda preserved reflected disgrace on himself, as if he were ashamed to acknowledge his correspondence with the head of his church, or had not the power to protect from insult the envoy of a sovereign prince unacceptable to the religious prejudices of his subjects. At the earnest solicitation of the king, Innocent gave his consent: the nuncio, to add to his importance, was consecrated archbishop of Amasia by the titular primate of Ireland in the chapel at Whitehall, and a day was fixed for his public reception at court in his official character. The duty of introducing him was assigned by James to the duke of Somerset, first lord of the bed-chamber. But that nobleman objected the penalty to which he should be exposed; and when the king offered him a pardon, replied that a pardon, promised before the offence was committed, would not be held valid in a court of law. "I would have you," said James, "fear me as well as the law." "I cannot fear you," was the answer of the duke, "as long as I commit no offence. I am secure in your majesty's justice." Two days were allowed him to consider: at the conclusion the young duke of Grafton conducted the nuncio to Windsor

¹⁰ Barillon, 3, 16 Mars; 3 Avril. Ellis Corresp. i. 68, 155. Sir John Warner, of Parham, in Suffolk, bart., together with his lady, embraced the catholic faith in 1664, and in 1667 on the same day he entered the order of the jesuits, she that of the poor Clares at

Gravelines. He was provincial of his order, then rector of St. Omer, and afterwards confessor to James II., whom he followed to St. Germain's. He died there in 1692, having been appointed provincial a second time.

in the royal carriage, and presented him to the king and queen. Somerset lost his place and his regiment of the guards. Hitherto he had incurred ridicule by his habits of vanity and arrogance, and was usually known by the appellation of the proud duke; but his spirited conduct on this occasion atoned for his past follies, and his disgrace invested him with honour in the estimation of the people¹¹.

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If the king hoped by the respect which he paid to the nuncio to conciliate the mind of the pontiff, it was not long before he was undeceived. At his prayer the purple had already been given to the queen's uncle, but no solicitation could prevail on the pope to dispense with the rules of the order, and raise father Petre to the episcopal dignity. Castlemaine's patience was exhausted. He complained in bitter terms that to him and the marshal d'Humieres, the envoys of the two catholic kings of England and France, no countenance was shown at the apostolic see, and he bluntly declared, that unless he had reason to expect a change of measures, he would immediately quit the papal court. Innocent was content with this laconic reply—"Lei è padrone;" but he ordered the nuncio to demand satisfaction from the king for the insult offered to him by the ambassador. James, though he attributed the warmth of Castlemaine to exuberance of zeal, recalled him to England, and, in reward of his services, gave him a place in the council: but instead of entrusting his interests at Rome to the cardinal of Norfolk, committed them to the care of Rinaldo d'Este¹², renewing at the same time his solicitations

Petre introduced into the council.

June 26.

Sept. 25.

¹¹ Barillon, 12 Mai; 14 Juil. Bonrepaus, 14 Juil. James, ii. 116—218. Lonsdale, 24. Ellis Correspondence, i. 272, 312.

¹² Ceux, qui y ont travaillé, ont eu pour motif de décréditer le cardinal de Norfolk,

que l'on croit n'avoir pas agi comme il devoit pour le P. Piters. Il y avoit une cabale de quelques catholiques ici, qui avoient eu dessein de faire venir ici le cardinal de Norfolk: mais le projet a été renversé. Ceux qui sont liés

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in behalf of Petre, not indeed for the mitre, which had been refused, but for the higher dignity of cardinal, which had occasionally been conferred on members of the society. But Innocent was inexorable; and James hastened to fulfil of his own authority his intentions in favour of his friend. The moderate party had persuaded themselves that the appointment of Petre as a privy counsellor had been suspended in consequence of their representations; the fact was, that the king only waited to obtain the mitre or the hat for the jesuit, that he might appear with greater importance at the board. Wearied out with the reluctance or procrastination of the pontiff, he named Petre clerk of the closet; the next Sunday the new dignitary appeared in the chapel at Whitehall, not in the usual habit of his order, but in that of a secular priest; and a few days later he seated himself among the privy counsellors by command of the sovereign. It is difficult to describe the astonishment, the vexation, with which this appointment was beheld by the great body of the people. The enemies of James secretly hailed it as an event most favourable to their wishes: by the catholics it was deplored as a common calamity. To prevent their remonstrances, the design had been concealed from their knowledge, and now that the appointment had taken place, it only remained for them to bewail the infatuation of the monarch, and to await in despair the revolution which he was preparing by his imprudence. James himself in his cooler moments could adduce nothing better in defence of his conduct than that "he was bewitched by the artifices of Sunderland ¹³."

avec le P. Piters et le P. Warner, confesseur, ont détourné le voyage du cardinal de Norfolk comme inutile, et ne pouvant produire que la division entre les catholiques qui ne

sont pas déjà trop unis. Barillon, 3 Nov.

¹³ James (Memoirs), ii. 77. Burnet, iii. 158. Wellwood, 158—160. Barillon, 15, 26 Mai; 23 Juin; 6 Oct.; 17, 24, 27 Nov. Dodd, iii.

That nobleman had not yet lost sight of the treasurer's staff, the original object of his ambition. In May he had become a pretended convert to the church of Rome, having made his abjuration in the hands of father Petre ¹⁴. The fact for reasons of state was kept secret : but it confirmed the confidence of the king in the attachment and fidelity of the proselyte. The introduction of Petre into the council had been preceded by that of sir Nicholas Butler, an Irish catholic, and dependent of Sunderland; and it was soon evident that these three, Sunderland, Petre, and Butler, monopolized the direction of public affairs ¹⁵. About Christmas the attempt, which had been so long in agitation, was made. Petre and Butler represented to James the necessity of appointing a lord high treasurer, and the fitness of the lord president for that office. But the king was inflexible : he replied in conformity with his first declaration that he would never confer an employment of such extensive influence on any subject. Sunderland ventured to solicit the interference of the queen ; but her answer was so decisive and discouraging, that he saw the prudence of desisting from a suit, which, if it

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The treasurer's staff
refused to
Sunderland.

Oct. 17.

Dec.

511, 533. In the gazette announcing the appointment he is called "the honourable and reverend father Edward Petre, clerk of the closet to his majesty." *Gazette*, 2294.

¹⁴ Barillon, 8 Juil. 1688. His eldest son, lord Spenser, a young man of profligate habits, had been dangerously wounded in a duel, and professed himself a catholic about the same time. "Cela est regardé comme une chose concertée entre myl. Sonderland et lui. Ce qu'il y a de certain, c'est qu'il profitera auprès du roi son maitre de la conversion de son fils." Barillon, 24 Mai ; 2 Juin.

¹⁵ This is represented by Barillon as "une grande augmentation de credit pour myl. Sonderland, de qui les deux autres sont en quelque façon dependants, et ne sont pas informés des affaires au point qu'il est." Ba-

rillaon, 18 Dec. But Bonrepaus, the other French envoy, entertained a very different notion. "Le roi connoit bien le caractère de M. Sonderland, qui est ambitieux et capable de tout sacrifier à son ambition ; et quoiqu'il n'ait pas une grande confiance en lui, il s'en sert, parcequ'il est plus dévoué qu'un autre, et qu'il s'abandonne absolument à suivre tous les sentimens de son maitre pour l'établissement de la religion catholique. . . . ce qui paroît au public de la faveur de M. Sonderland n'empêche point qu'il ne soit dans une grande dépendance du père Piter, qui seul a l'entière confiance du roi. . . . Il fera chasser M. Sonderland dès que l'envie lui en prendra, ne manquant point de prétexte pour cela." Bonrepaus, 4 Juin.

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Dissolution of
parliament.

July 2.

Aug. 16.
The king's
progress.

While the king was occupied with these petty contests and intrigues, he did not lose sight of the great object of his ambition. To proclaim liberty of conscience was but a preparatory step: he saw that it required something more than a royal proclamation to give stability to the benefit. The dispensing power, on which its existence rested, afforded only a frail and precarious support, which circumstances might compel him to withdraw, and which at all events would fail at his decease: and to procure the sanction of the legislature in its favour, as long as the present house of commons continued in being, appeared a hopeless and dangerous attempt. After much hesitation he dissolved the parliament, and determined to trust to his own endeavours, and the co-operation of the dissenters, to obtain at the next elections the return of members better disposed to concur in the measure. With this view, 1. he commenced a progress during the summer, from London to Bath, and continued it from Bath to Chester¹⁷, visiting the most populous towns, in which he was received with acclamations, and calling around him the resident gentry, whom he sought to conciliate by affability, and to convince by argument. He assured them that he cherished no hostility against the established church: and that, if he wished to abolish the test, it was because he considered it an unjust and barbarous enactment, which had failed of its principal object, his exclusion from the crown, and which he was therefore bound to prevent from inflicting on others the penalties, that had been devised against himself. It could

¹⁶ James (Memoirs), ii. 132. Lonsdale,
25.

¹⁷ At Chester Penn and Barclay preached

in favour of the declaration, and some of the
courtiers bathed at Holywell. Barillon, 16,
20 Sept.

not be a necessary safeguard for the church, since the church had so long existed without it: nor would its repeal affect the constitution of the house of commons since catholics would still remain, as they had been for a century before, excluded from that house: and certainly, as long as one branch of the legislature, the lords, consisted principally, and another, the commons, totally of protestants, *he* must be an unreasonable man, who could entertain any fear for the safety of the protestant religion. James was of a sanguine disposition. As he had mistaken the partial acclamations of the dissenters, for the voice of the whole population; so he mistook the respectful silence with which men listened to his reasoning, for a sufficient proof of their assent. His ministers were more sagacious: they saw how deeply rooted was the public distrust of his measures, but were careful to conceal their apprehensions from the knowledge of their sovereign¹⁸.

2. At the same time the "regulators," a board established under the pretext of reforming the abuses in corporations, received orders to mould these bodies in conformity with the views of the court; and instructions were given to the lord lieutenants of the several counties, 1. to make out lists of persons devoted to the cause, and on that account fit to be appointed mayors and sheriffs, that the returning officers might be in the interest of the crown; and 2. to assemble their deputies and the magistracy, and to put to each individual the three following questions: if you are chosen to the next parliament, will you vote for the repeal of the test act and of the penal

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The three
questions.

¹⁸ "Le roi croit que son voyage lui a servi à ramener les esprits et que les peuples ont été détrompés de beaucoup de faussetés." Barillon, 20, 29 Sept. "Le roi d'Angleterre est fort gai, et croit que toutes ses affaires

vont bien. Ses ministres ne le contredisent point dans ses pensées: mais je pénétre clairement que Myl. Sonderland n'est pas sans quelque trouble intérieur." Bourepaus, 9 Oct.

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Dec. 11.

laws? will you give your aid to those candidates who engage to vote for that repeal? will you support the declaration for liberty of conscience by living peaceably and like good christians with men of different religious principles? The king's object could not be doubted, and the Gazette was careful to intimate, that continuance in office would be made to depend on the answers which should be returned. Many replied in the affirmative: but most availed themselves of a printed form which was circulated through the country for their adoption; that they could not engage their votes on any particular question, till its merits had been debated in parliament, that they would support such candidates as possessed the necessary qualifications, and that they sought to live in peace with all men, unless his majesty's interest and the government established by law required the contrary. Though from these replies James learned the unwelcome truth, that his favourite measure was displeasing to a great majority among the higher classes of his subjects; yet he could not prevail on himself to desist from his pursuit, and only postponed the calling of a parliament to some future and more favourable opportunity¹⁹.

Conduct of
the prince of
Orange.

Before we proceed to the fourth and last year of this inauspicious reign, it will be proper to call the attention of the reader to the numerous causes of irritation and estrangement, which previously existed between the king, and his nephew and son-in-law the prince of Orange. William's advocacy of the bill of exclusion, and his reception of Monmouth during the life of Charles, were offences not easily forgotten: and the reconciliation which he sought and obtained on the death of that monarch, was soon afterwards shaken by his strange and ambi-

¹⁹ Gazette, 223. Lonsdale, 15, 16, 19. 469, 470. Bonrepaus, 4 Dec. Burnet, iii. Reresby, 251. Dalrymple, 223. Kennet, 183.

guous conduct in relation to the expeditions under the earl of Argyle and the duke of Monmouth. From all the circumstances it is plain that, if at first he knew not of the design, it was because he preferred to be ignorant; and that, if his orders to prevent their departure were subsequently disregarded, it was because he did not mean them to be obeyed. James, however, deemed it prudent to dissemble. The plea of ignorance, advanced by the prince, was accepted though not believed; and his offer of coming and fighting in person against the usurper was declined, under the pretence that his presence at the Hague was necessary to prevent the transmission of succour to the enemy. The victory of the king at Sedgemoor put an end to this uncertainty. William tendered his congratulations to his uncle; James returned a gracious and affectionate answer; and an active correspondence was established, in which these near relatives endeavoured to disguise their mistrust of each other under expressions of the warmest attachment²⁰.

There existed two parties, who deemed it equally their interest to prevent any cordial union between the uncle and nephew. The French king, aware of the inextinguishable hostility of William, ordered his ambassador d'Avaux to watch with care the conduct of the prince: and by that minister every circumstance, which admitted of an unfavourable interpretation, was communicated to Barillon in London, whose office it was to represent it to James under such colouring and with such comments, as he thought most likely to awaken suspicion in the royal breast. On the other hand the British exiles in Holland, together with the discontented in England, while they inflamed the ambition of William with the prospect of the

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Causes of distrust between him and James.

²⁰ James (Memoirs), ii. 26. Dalrymple, 123, 124, 126, 131. Fox, App. 81. Clar. Corresp. 124, 125, 127, 130.

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1. The recep-
tion of the
exiles.

English crown, were careful to alarm his jealousy by attributing to the king designs against the hereditary rights of his wife. To enumerate all the causes of dissension, discovered or created by these advisers, would tire the patience of the reader: the principal may be arranged under the following heads. 1. Holland was become the common refuge of all, who during the last or present reign had fled from prosecution on account of political offences. There they assembled to talk over their real or supposed wrongs, arranged plans for the annoyance of the government in England, and formed connexions with men of similar sentiments in their native country. That James should demand their removal, was natural: he sought not, he said, to deprive them of an asylum, but to cut off their facility of communication with England, by compelling them to reside at a distance from the sea coast. He complained to the States, but his complaints, through the influence of the prince, were disregarded: he remonstrated in stronger terms, and was answered that the delay arose from the number of authorities to be consulted, and the slow form of proceedings in the States: at length he had recourse to intimidation. It was observed that he suddenly turned his attention from the army to the navy: that a great number of ships had been put in commission, and that the workmen were employed night and day in the docks and arsenals. When Van Citters, the Dutch ambassador, inquired the object of this armament, James merely replied that he had no intention of disturbing the peace of Europe: but one of the ministers gave him to understand, that, if the States sought to avoid a war, it would be necessary to comply with the king's demand²¹. This

1686.
July 23.

²¹ Je lui dis que ce qu'il me disoit ressembloit fort à une declaration de guerre. Sur quoi il répondit: Je ne prononce pas le mot

de guerre, mais c'est à vous à considérer ce que je veux dire. Lettre de M. Van Citters, 2 Août, 1686.

hint had its effect ; and the exiles were ordered by proclamation to withdraw from the maritime districts of the republic. The order, however, remained a dead letter, excepting at the Hague, and the prince, careful not to offend men whose services he might afterwards require, though he abstained from open communication with them himself, occasionally met them in private, and kept up a connection with their chiefs through his favourite counsellors, Fagel, Bentinck, and Halewyn.

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2. The maintenance by the States of six British regiments on the continent, revocable by the crown in the case of invasion or rebellion, was supposed to bring with it this advantage, that the king, on any sudden emergency, would have at his command a disciplined and native force, without the previous expense of their support in time of peace. During the attempt of Monmouth the experiment was partially made ; when it appeared that the regiments brought to England were more disposed to fight in the cause of the usurper than of the legitimate sovereign. This furnished another source of irritation. James sought to reform the brigade by cashiering the officers of doubtful fidelity, and supplying their places with men of more loyal principles and connections. But William, the commander in chief, was perfectly satisfied with the existing constitution of the regiments. He looked to them for aid in the event of his contending for the English crown ; and therefore made it his object to keep them under the guidance of officers, whose interests were identified with his own. To the demands of the king he opposed delays and objections, which provoked complaints and remonstrances. By dint of perseverance James procured the removal of those whom he named as his enemies : but in the appointment of others to succeed them, little regard was paid to his recommendation. William steadily refused commissions to all, whom

2. The state
of the British
force in Hol-
land.

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he suspected of being attached to the king or the catholic faith, while on the other hand he sought out men dependent on himself, and particularly the officers who had been discharged by Tyrconnel from the army in Ireland. The consequence was that, in the following year, these regiments hesitated not to draw the sword against their natural sovereign, and cheerfully accompanied the prince in his expedition to England ²².

3. The suc-
cession to the
crown.

3. William also thought that he had his grounds of complaint. It was evident that the religious fabric which James laboured to rear with so much danger to himself, would crumble into dust on the accession of the princess of Orange. Hence sprung a report that it was the royal intention to exclude her from the throne, either in favour of the princess Anne, provided the latter would embrace the catholic faith, or, in case of her refusal, in favour of his illegitimate son, the young duke of Berwick. That no such notion ever suggested itself to the king's mind, or obtained his approbation when suggested by others, is plain from his solemn asseveration, and the uniform tenor of his conduct with respect to his daughter Mary. It seems to have originated with Barillon ²³, who in his anxiety to serve his own sovereign, laboured by every artifice in his power to inflame the jealousy, and widen the breach, between James and his nephew. On the suspicious mind of the latter, who had long flattered himself with the future acquisition of the British crown, this report made a deep and lasting impression: and

²² D'Avaux, *Lettres* du 12 Juin, 14 Août, 1687; 2 Avril, 1688.

²³ I attribute this project to the fertile brain of Barillon, because as early as the 16th of March, 1685, he suggested it to Louis, as a measure which some talked of, and which James might be led to adopt, if he were solidly established on the throne by the aid

of Louis in the beginning of his reign. Barillon, 26 Mars. The king replies: il est bien à souhaiter que ledit roi puisse porter la princesse Anne sa fille à embrasser la religion catholique, mais il n'y a pas lieu de croire qu'il puisse éloigner par ce moyen la princesse d'Orange de la succession. Lettre du 6 Avril.

Van Citters, the ambassador, was employed by him to sound and discover the real disposition of the monarch. At the mention of a change in the succession, the king replied, that he did not believe there existed a man, who would dare to affront him with such a proposal; that religion was not to be established by acts of injustice; and that he loved all his children too well to do any of them wrong²⁴. This answer, however, did not tranquillize the mind of the prince, who artfully demanded a yearly income to be settled on his wife in quality of *presumptive heir*. Some of the catholic counsellors, anxious to earn his favour, solicited the king to accede to the request: but James was not a prince to give away his money with the suspicion that it might be employed against himself, and he eluded the demand with this answer, that no income could be claimed by the heir to the crown, unless it were to be spent within the kingdom²⁵. Defeated in this pursuit, William adopted a plan to get into his possession the supposed competitor of his wife. Prince George had gone to Denmark on a visit to the king his brother;

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1686.
Aug. 17.

1687.
March 3.

²⁴ "Sa majesté me dit qu'elle ne croyoit point que qui que ce soit osât le lui représenter, et qu'elle n'y entendroit jamais. . . . que dieu n'avoit jamais exigé d'aucun roi ou prince qu'ils fissent des lachetés ni des injustices pour l'établissement d'aucune religion, bien loin d'approuver un tort aussi inoui qu'elle feroit à ses propres enfans, pour qui elle avoit la plus grande estime." Lettre de Van Citters, 27 Août. I shall not transcribe the paper which at the same time the envoy put into the hands of the king. It pretended to be a secret report made to him by the privy council, and is evidently, as James pronounced it, a forgery, probably got up for the purpose of drawing from him his sentiments on the subjects of which it treats. Its substance may be seen in Mazure (ii. 161), who has transferred it to his pages, but in much better language than it can boast of in the original. In consequence of a passage in this paper advising him to gain by submission the pro-

tection of the king of France, "S. M. me dit avec chaleur, qu'elle étoit résolue de ne pas flétrir sa couronne en aucune manière; qu'elle vouloit que tout le monde sût qu'elle étoit née Anglaise; et qu'ayant son ambassadeur à Rome, quoiqu'elle eut un grand respect et vénération pour le St. siege, elle ne feroit jamais rien (quelque déplaisir que sa sainteté en pût avoir) qui la mit au dessous des rois de France ou d'Espagne. Et enfin, s'écriant avec emportement, Vassal! Vassal de la France! Monsieur, si le parlement avoit voulu, et s'il vouloit encore me donner les moyens nécessaires, j'aurois porté la monarchie, et je la porterois encore, à une aussi haut degré de considération qu'elle ait jamais été sous le regne d'aucun des rois mes prédécesseurs: et cela ne seroit peut-être pas mauvais pour votre état." Van Citters, *ibid*.

²⁵ D'Avaux, 10 Janv. 1687; 20 Mai, 1688. Burnet, iii. 125.

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March 7.

and Anne was persuaded to express a desire of spending the time of his absence in the company of her sister Mary. By James permission was cheerfully granted: but in a few days he repented of his facility, and revoked his word, under the pretence that it was contrary to sound policy, to allow both sisters, the next heirs to the crown, to be at the same time within the power and control of any foreign state ²⁶.

4. The ques-
tion of the
test act.

4. The real expedient, by which the king hoped to give stability to his plans in favour of his catholic subjects, did not contemplate any change in the succession. He had persuaded himself that William might be induced to approve of the general abolition of the penal laws on matters of religion, and even to pledge his word for the support of the measure after the decease of the reigning monarch. For this purpose he despatched to Holland sir William Penn, the celebrated quaker, that he might read lectures on toleration to the prince and princess, and might convince them that all restraint on the freedom of religious worship was contrary to the unalienable rights of conscience. But the address and eloquence of Penn were foiled by the cunning of a more welcome adviser, who suggested an answer subversive at once of the king's views and expectations; that, hostile as they were to persecution, yet they would never give their consent to the repeal of the test act, because that act was necessary for the preservation of the protestant faith ²⁷. This adviser was Burnet the historian, who having deeply offended the royal brothers during the reign of Charles, had asked and received permission to travel on the accession of James. From Italy he came back to Holland, where he was invited to the court of the

²⁶ Barillon, 13, 19, 24 Mars, 1687. Rochester and Churchill were suspected by the king as the advisers of Anne in this instance.

²⁷ Burnet, iii. 132, 133. D'Avaux, 23 Jan. 1687.

prince, and soon acquired a high degree of favour and confidence. His knowledge of men and parties rendered him an invaluable counsellor ; and his reputation as a theologian enabled him to do to his patron a most acceptable service, by persuading the feeble mind of the princess that the law of England, which, in the event of her succession to the crown, would give her the superiority over her husband, was contrary to the law of God, which made her at all times subject to his authority ; and that she was therefore bound in conscience to transfer to the hands of the prince the sovereign power which she might subsequently inherit as her birth-right. Under this impression sending for William she made to him, in the presence of her instructor, a solemn promise, that, whatever authority might subsequently devolve on her, should be possessed and exercised by him : he should bear the sway, she would demean herself as a loving and dutiful wife ; nor did she ask any other return for this proof of affection than that, as she practised one command, *wives, be obedient to your husbands in all things*, so he would practise the other, *husbands, love your wives*. By these words she alluded to his amour with Mrs. Villiers, afterwards lady Orkney ; but William, though he exacted from her the benefit of the promise, was careful to absolve himself from the obligation of complying with the condition ²⁸.

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5. Skelton, who represented the king of England at the Hague, had incurred the displeasure both of the States and of the prince : of the former in consequence of an attempt to seize with the aid of some English officers the person of sir Robert Peyton, one of the outlaws ; and of the latter on account of

5. The mission of
D'Albeville.

²⁸ Burnet, iii. 123—131. " Ever after that, he seemed to trust me entirely." Burnet describes the suggestion as originating with

himself ; lord Dartmouth infers from the very narrative, that he was employed by the prince. 131, note.

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some real or imaginary interference in his amours, matters which were publicly known, though William sought to persuade himself that they were wrapt in impenetrable obscurity²⁹. James transferred Skelton to the higher post of ambassador at Paris, and chose for his successor White, a native of Ireland, and generally known by the name of marquess of Albeville, which title he had accepted from the emperor in lieu of the pecuniary compensation due to his services. Albeville was a catholic, and therefore less acceptable to the States, but more likely to execute with fidelity the commissions with which he was charged³⁰. He took with him the royal recommendation in favour of the officers implicated in the attempt upon Peyton, and though he could not prevent them from being cashiered, was suffered to convey them in safety to England³¹. He also succeeded, though with considerable difficulty, in procuring the removal of Burnet from the court of the prince: but it was little more than a nominal removal; for though William no longer spoke to him in person, he continued to consult him on English affairs, through the agency of his confidential advisers³². But with respect to the two great objects of his mission Albeville was much more unfortunate. It was in vain that he assured the prince of the king's resolution to preserve the legal

1686.
Oct. 10.

²⁹ See the intercepted letter from Dr. Covell to Skelton on the conduct of the princess under the bad treatment which she received from her husband, in *Clar. Corresp.* i. 165. Covell was her chaplain, and was in consequence dismissed by the prince.

³⁰ He had formerly rendered some service to the king of France, and before his departure Barillon not only made him a present of 300 guineas in the name of Louis, but added the promise of a pension. In return he engaged to communicate with d'Avaux at the Hague, and to send information for Barillon in letters to Sunderland, though he

was ordered to correspond officially with the other secretary, the earl of Middleton. Barillon, 2, 23 Sep. 1686; 3 Mars, 1687. At the Hague he laboured so earnestly to reconcile James and the prince, that d'Avaux doubted his sincerity: but that doubt soon vanished, and d'Avaux obtained for him another gratuity of 150 guineas in addition to his pension. D'Avaux, 23 Janv.; 12 Juin, 1687. See also Burnet, iii. 163.

³¹ D'Avaux, *Lettres* du 30 Jan.; 27 Mars; 14 Mai.

³² *Id.* 23 Janv.; 24 Avril.

descent of the crown ; that he had never entertained, that he could not for a moment entertain, a thought so wicked and unjust, as that of depriving his own daughter of her hereditary right. The assurance was received with outward acknowledgments, and with inward distrust. Neither would William listen to the arguments of the ambassador in favour of a total liberty of conscience. He was, he said, a friend of toleration, but only in a limited sense : he wished the catholics in England to enjoy all those liberties which were enjoyed by the catholics in the United Provinces. But he dared not consent to the abolition of the test act, because it was the only security of the established church under a catholic monarch³³.

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6. Soon after the mission of Albeville, new jealousies and alarms were excited by the disgrace of Rochester and the proceedings of Tyrconnel. Messengers from England arrived at the Loo and the Hague, and Fagel, Bentinck, and Halweyn, consulted with Burnet and the chief of the outlaws ; but William was too cautious to listen to those who advised an immediate recourse to arms ; and doubting the fidelity of the representations made by his English adherents, he sent to London as his agent Dyckvelt, a statesman of acute observation and consummate ability. To elude suspicion Dyckvelt was invested with an extraordinary mission from the States, and instructed to inquire into the destination of the armaments said to be in preparation in the English ports. But James, who was acquainted with his real object, complained in bitter terms of the distrust and duplicity of his son-in-law ; and to the question of the ambassador replied that he had neither the intention of disturbing the peace of Europe, nor of inter-

6. The Con-
trary mission
of Dyckvelt.

1687.
Feb. 11.

³³ D'Avaux, Lettre du 23 Janv.

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June 9.

rupting, as was rumoured, the legal line of succession³⁴. Dyckvelt, faithful to his instructions from the prince, improved the opportunity to learn the strength of the royal army, the state of the royal finances³⁵, and the feelings and resources of the several parties. He communicated personally or by letter with the secret adherents of William, assured the discontented that the prince would never submit to any measure which could weaken the ascendancy of the established church, advised the dissenters to stand aloof from the contest, and expect from the successor of James a more legal and permanent toleration, and threw out to the catholics a promise, that if they would deserve it by their conduct, they should find in William a protector from the future vengeance of their enemies. But these intrigues could not be concealed from the king, who expressed his resentment without reserve both to the agent himself and his employer³⁶. Dyckvelt returned to Holland, taking with him letters filled with expressions of attachment, and offers of service to William, from the marquess of Halifax, the earls of Shrewsbury, Bedford, Devonshire, Clarendon, Sunderland, Danby, Nottingham, and Rochester, the bishop of London, the lords Lumley and Churchill, admiral Russell, and several other individuals of high rank and extensive influence. It was not that all these aimed at the same object, or were even fully

³⁴ D'Avaux, 6 Fev. Burnet, iii. 164. "Le prince d'Orange," disoit il, "juge des autres par lui même. Il croit, parcequ'il a été d'avis de m'exclure, que le même dessein pourroit me venir dans l'esprit. Cependant ceux qui me connoissent, me croiront fort éloigné d'une pensée si injuste et si impracticable. . . . Il prend la resolution de faire envoyer ici par les Etats un homme qui lui est entièrement affidé, par le moyen duquel il espère fortifier et encourager tous ceux qui

sont de son parti. . . . Il juge de moi par lui même. Mais il se tromp fort. C'est Dieu qui donne les couronnes, et mon intention est bien loin de rien faire contre la justice et le droit." Barillon, 27 Janv. 1687.

³⁵ According to Bonrepaus, who had seen the treasury accounts, James, after payment of all expenses, had a surplus of 100,000*l*, per annum. Lettre du 4 Juin.

³⁶ Barillon, 12 Juin.

acquainted with the views and opinions of each other. Halifax, Sunderland, Clarendon, and Rochester chiefly sought to secure the good-will of the prince, whom they looked upon as the probable successor to the throne: but most of the others went much further: Danby, even in the days of his power, had sought the friendship of the prince in opposition to James: the bishop, and Devonshire, Bedford, Shrewsbury, and Lumley, had private wrongs to revenge; the two last, who had abandoned the catholic faith, were also anxious to display their zeal for the creed which they had chosen; and all these solicited from William an armed interference, which, while it should establish religion and liberty, might secure the succession to him and his wife, perhaps place them immediately on the throne. These sentiments it would have been imprudent to commit to writing: and in their letters they confined themselves to general expressions of dubious import, the true meaning of which the bearer was authorized to explain³⁷.

The report which Dyckvelt made of his mission opened a more inviting prospect to the ambition of the prince, and revived all those aspiring hopes which had first been awakened by the bill of exclusion. It is not indeed to be supposed that he now formed the very plan of invasion which subsequently

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Mission of
Zulestein.

³⁷ See them in Dalrymple, 190—200. Lord Devonshire's opposition to the court arose from the following circumstance. In 1686 colonel Culpepper struck him in the king's anti-chamber, and was condemned to lose his hand for the offence, but obtained a pardon after a long imprisonment. The next year the earl struck Culpepper with a cane near the queen's drawing-room, and, though he claimed the privilege of the peerage, was condemned by the court of King's Bench in a fine of 30,000*l.*, and to be imprisoned till the fine was paid. For a while he set that court at defiance: but when the attorney-

general took out process against him that the fine might be estreated into the Exchequer, he sought to make his peace through the duchess of Mazarin, was admitted into favour, and given to understand that the fine would not be demanded if he behaved properly. Thus the matter stood till the revolution, when the lords (May 15, 1689), declared the proceedings in the King's Bench a breach of privilege, the fine exorbitant, and that no peer could be committed for non-payment of a fine. See State Trials, xi. 1354—1372. Barillon, 30 Oct.; 6, 10 Nov. Bonrepaus, 7 Nov. L. Journ. xiv. 211.

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Aug. 8.

placed him on the English throne—that particular measure was brought about by events over which he had no control—but he resolved to be prepared for whatever might happen, to take advantage of the first favourable opportunity which might be offered by the imprudence or the death of the king, and to encourage and stimulate the zeal of his friends in England, by assuring them that if James should attempt with the aid of “a packed parliament” to repeal the test act and the penal laws, he would join them with an armed force, and draw his sword with them in defence of their common religion. For this purpose he despatched Zuleistein, another envoy, under the pretext of offering his condolence to the king and queen on the death of the duchess of Modena. Zuleistein pursued the same conduct as Dyckvelt, and having consulted the chiefs of the malcontents, returned with letters and assurances of support to the Hague ³⁸.

Change in
the conduct
of the prince.

June 24.

It was observed by James and his ministers that the departure of Dyckvelt had been followed by a striking change in the behaviour of the prince. Hitherto in his correspondence with his uncle his language had been reserved but respectful, more expressive of doubt than of determination; now he adopted a more resolute tone, and, in answer to a long and argumentative communication from James, replied that in no circumstances whatsoever, not even for the succession to the English crown, or to all the crowns in Europe, would he or the princess consent to the repeal of laws which they thought necessary for the support of the protestant religion ³⁹.

7. Letter from
Fagel.

7. This was followed by the publication of a letter on the same

³⁸ Dalrymple, 200—210. Zuleistein was afterwards created earl of Rochford.

³⁹ D'Avaux, 19 Juin; 6 Juil. Id. Nego-

ciations, vi. 33. Barillon, 17 Juil. Bonrepaus, 21 Juin.

subject, written by Fagel, the pensionary, to Stewart, a Scottish lawyer, who of an enemy and outlaw had been made a convert to the royal cause by the address of sir William Penn. Stewart, presuming on his former influence with the prince, had obtained permission of the king to commence a correspondence on the subject of the penal laws; and Fagel gladly embraced the opportunity to reply, that their highnesses were enemies to religious persecution, and willing to concede to the British catholics that liberty of worship which was enjoyed by the catholics of Holland, but that they never would consent to the repeal of the test, or of any act, having for its object the safety of the protestant church; that laws which merely fixed the qualifications for office could not be taxed with injustice, nor could that man be said to persecute, who did not seek to punish the religious belief of one party, but only to preserve the religious establishments of the other⁴⁰.

In this letter there was nothing which had not been repeatedly stated by Dyckvelt to the king, and by the prince to Albeville. But it was in reality composed for the information of others, of the catholic princes, the allies of William, who would learn from it that he bore no real hostility to the professors of the catholic faith, and of the British protestants, whom it would induce to look on him as the staunch and uncompromising champion of the protestant ascendancy in the British empire. With this view it was published in Dutch, French, English, and Latin, and forty-five thousand copies were sent for circulation to England, where, from the high place which Fagel held in the confidence of the prince, it was considered as a public paper, with a semi-official character.

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Consequences
of that letter.

⁴⁰ Dumont, vii. part ii. p. 151. State Tracts, 334.

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The friends of James, however, did not suffer it to pass without an answer. Treating it as the composition of William himself, they animadverted severely on the indecency of the publication. What right, they asked, could a foreign prince possess of announcing to the inhabitants of a great empire his condemnation of the rule of their sovereign? The test act, they maintained, was unjust, because it deprived the catholic peers of their birth-right, though guiltless of any crime; because it was founded on the acknowledged falsehoods and forgeries of Titus Oates, and because its real object had been the exclusion of James, while its real victims were those, who had been made subject to its provisions, that through *them* it might reach *him*. It was moreover a grievance to protestants themselves, by imposing on men, unused to such investigations, the necessity of pronouncing solemnly on the truth or falsehood of a metaphysical opinion, and of declaring the invocation of saints to be idolatrous, though the form of that invocation was itself equivalent to a disclaimer of idolatry; and that to vindicate the test on the ground of its being merely a qualification for office was a pretence, the falsehood and injustice of which Fagel himself would admit, were he by the enactment of a similar qualification excluded from his share in the government of the united provinces ⁴¹.

Whatever force there might be in this reasoning, the publication of Fagel's letter completely answered the purpose of its author. By the tone of moderation which distinguished it, the

⁴¹ James, ii. 145—151; and Stewart's answer to Fagel. The catholic peers at this period were the duke of Berwick, the marquess of Powis, the earls of Salisbury, Peterborough, Portland, and Cardigan, the viscount Montague, and the lords Abergavenny, Audley, Stourton, Hunsdon, Petre, Gerard of Bromley, Arundel of Wardour, Teynham, Carrington, Widdrington, Belasyse, Langdale, Clifford, Jermyn of Dover, and Waldegrave. The next year sir Francis Radclyffe was created earl of Derwentwater.

pope, the emperor, and the catholic princes were led to believe that William was prepared to grant to the British catholics every indulgence which they were entitled to expect; and by pointing out to the British protestants the prince and princess as defenders of the test act, it constituted them in fact the leaders of the party. On the one hand it allayed the jealousy of his allies; on the other it encouraged the timid among his friends, confirmed the wavering, and stimulated all to resistance and exertion ⁴².

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But what great aid, it will be asked, could William bring to the disaffected in England? *He* was not the sovereign of the United Provinces; he held not at his disposal their naval and military force. He was no more than the servant of the States-General, bound to obey their orders, and answerable to them for his conduct. To employ their armies in a foreign war without their permission, was to violate the constitution; and to reveal to them his real object would have been to defeat his purpose by making it public. This was a great and alarming difficulty, and the consummate art with which it was surmounted, proves the political sagacity both of the prince and of his advisers. 1. In common with his friends he felt or affected to feel the deepest apprehension for the very existence of the reformed worship. Louis and James according to them were linked together in the closest amity, and had formed an impious league for the extirpation of protestantism. The first had already acted his part by his revocation of the edict of Nantes: the second was following his steps as rapidly as circumstances would permit: and from England and France they would extend their views to the United Provinces, whose religion and independence were evidently at stake. Nor was this opinion confined to

His artful
conduct.

He gains the
affection of
the people.

⁴² Burnet, iii. 203, 206. Also 165, note.

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political circles. It was echoed and enforced from the pulpits : a correspondence between the two jesuits Petre and la Chaise, confirmatory of such projects, was forged and published, prints descriptive of the sufferings of the French protestants, with pamphlets calculated to kindle and inflame religious animosity, were industriously circulated ; and the ministers, to make the deeper impression on the public mind, waited in a body on the prince, thanked him for his services in the cause of protestantism, and were informed by him in reply, that there never was a time which called more loudly for their prayers and exertions, because there never was a time when the true profession of the gospel was assailed by more powerful and determined enemies. By these arts the passions of the people were wrought up to such a degree of phrenzy, that moderate men felt themselves condemned to silence through the fear of being torn in pieces by the zeal of an enraged populace ⁴³.

Foments dis-
sension be-
tween the
king and the
States.

2. While the prince thus secured the adhesion of the lower classes, he secretly excited or fomented a succession of petty quarrels between the States and his father-in-law. 1. The English East India company had made bitter complaints of the injuries which they suffered from the Dutch at Bantam and Masulipatam ; and James in firm and threatening language insisted on immediate reparation. By William the States were exhorted to temporise ; they protested against the exorbitant claims of the company ; they excused the delay through the want of evidence from their own servants ; and, if they offered reparation, it was in terms evasive or unsatisfactory. 2. Soon afterwards a fleet of Algerine corsairs, commanded by

⁴³ D'Avaux, 26 Feb. ; 11 Mars ; 10 Juin ; 20 Juil ; 10 Août. Among these forgeries was also a letter from a jesuit at Liege to a

jesuit at Friburg, which may be seen in Echard, 1820. Also Burnet, iii. 169, 170, note, and d'Avaux, 4 Juillet.

Dutch renegadoes, appeared in the Channel for the purpose of making depredations on the commerce of the United Provinces. The admiral anchored in the harbour of Plymouth, and demanded, in virtue of the treaty between the king and the regency, permission to sell his prizes. His right to enter the port was admitted ; but the permission which he sought was refused : and yet the States remonstrated in violent terms against this determination : the charge that James was secretly leagued with the infidels against the heretics, was echoed back by the partisans of the prince in England and Holland ; and the king, to silence their clamour, issued orders to admiral Strickland to sweep the Channel of the pirates. 3. A third cause of dissension arose out of the countenance which Burnet, to whom James had traced several libellous publications, received in Holland. Having been cited to appear, he was pronounced fugitive by the court of justiciary in Scotland, but at the same time obtained letters of naturalization, and a promise of protection from the States. Albeville required that he should be delivered up in conformity with the treaty of Breda, but received for answer that their high mightinesses understood the provision in that treaty in a very different sense from the king of England⁴⁴. Lastly James demanded the six British regiments serving in the United Provinces : the States refused. He appealed to the law of nations ; they replied that the civilians in Holland did not admit of the interpretation of that law given by the civilians in England : he claimed the services of the brigade in conformity with the capitulation between the prince of Orange and the earl of Ossory ; they (though the British force in their pay

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⁴⁴ For the Algerines see Bonrepaus, 9, 17 Juil. ; 7 Août ; 29 Janv. ; 10, 24 Fev. 16, 21 Juin. Ellis Correspondence, i. 127, State Trials, xi. 1103—1124. Burnet, iii. 137 : with respect to Burnet, D'Avaux, 194.

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had hitherto been governed by that very instrument) declared it of no value, because it had never been formally ratified. In conclusion the king by proclamation recalled his subjects serving under foreign powers; but the call was obeyed by only thirty-six officers, and a few privates⁴⁵. The effect of these bickerings proved highly beneficial to William, in as much as they created an alienation of mind in the principal persons among the States, which rendered them willing to connive at measures calculated to injure a prince whom they both feared and disliked.

And secretly
procures
ships and
men.

3. But the chief object of his solicitude was to procure supplies of men, ships, and money, without disclosing at the same time his real purpose. His partisans began by disseminating a report that Louis and James had entered into a secret league to make war on the United Provinces in the following spring; but this falsehood⁴⁶ would have failed of its purpose had it not been aided by the depredations of the Algerine corsairs, and the

⁴⁵ Burnet, iii. 208. D'Avaux, 12, 24 Fev.; 16, 18, 25 Mars. Barillon, 12 Fev.; 25 Mars. The recall of these troops originated with the French cabinet for the purpose of weakening the army, and embarrassing the counsels of the States. D'Avaux suggested it to Albeville, and Albeville to James, on the ground that he could have no reliance on the fidelity of the six regiments as long as they remained under the command of the prince. He assented, and proposed that Louis should take them into his service: but Louis deemed it better to furnish pay for two thousand men, provided they should remain in England. But by this time Sunderland had discovered the origin of the project, and instantly threw every obstacle in the way of the negotiation, till his services were purchased by a new gratification of 2250*l*. Immediately afterwards Albeville received orders to recall the troops. See d'Avaux, 22 Août, 1687. Barillon, 9 Janv.

1688; and the answer of Louis, 16 Janv. The pay of two thousand men amounted to 42,048*l*. a year.

⁴⁶ D'Avaux speaking of the false reports at the Hague uses these words: "le prince et ses créatures ont au suprême degré le talent des Autrichiens de débiter effrontément une menagerie, qu'ils savent bien devoir être détruite trois jours après," 6 Fev. 1687. That there existed no league between the two monarchs, either against the States, or for the support of James in England, is plain from all the despatches of the French ministers, and in particular from a letter of Louis XIV. to d'Avaux in answer to a hint on that subject: "Comme ce prince ne doute pas de mon affection, et du désir que j'ai de voir la religion catholique bien rétablie en Angleterre, il faut croire qu'il se trouve assez de force et d'autorité pour exécuter ses desseins, puis qu'il n'a pas recours à moi," 17 Juillet, 1687.

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expectation of another visit from the pirates during the next summer. For the protection of their commerce the States voted a levy of nine thousand seamen; and the prince not only put twenty sail of men-of-war into commission, but ventured without authority to order twenty more to be put in such repair that they might be made ready for sea in a few days. He had also the address to procure from the States an order that the ships should not, as was usual, be stationed in the harbours of the different admiralties, but should rendezvous either at Flushing or Willemstad, two ports his own property, where he could exercise the command without control. With respect to the army he did not venture to raise any additional force; but he concluded private treaties with different princes of Germany, who bound themselves to furnish at his requisition several thousand men for the defence of the southern frontier, whenever the Dutch troops should be withdrawn by the prince for any distant expedition. To procure money towards the equipment of the fleet, the produce of the customs was almost doubled by the enforcement of new and severe regulations; and on his earnest remonstrance that several fortresses were falling into ruin, a loan of 4,000,000 of florins was voted for their repair. The loan was indeed ordered to be raised by equal portions, in four successive years, but the treasurer, under the influence and protection of the prince, obtained the whole sum at once, and held it at the disposal of his patron ⁴⁷.

In the mean while James pursued with obstinacy his dangerous and desperate career. The inutility of his past efforts might have taught him the folly of expecting to win the consent of men, while he continued to offend their prejudices, and

Reports of the
queen's preg-
nancy.

⁴⁷ *Negociations du comte d'Avaux*, vi. 9, 13, 28, 44, 59, 64, 66.

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trample on their rights. But his was a mind on which the lessons of experience were thrown away. Though the closetings, and removals, and interrogatories had failed, still he could discover no cause of despondency; the reasonableness of the thing, the interest of the dissenters, and the influence of the crown would, he thought, gradually make converts to his opinion, and it was his fixed resolve to call no parliament, till he should be secure of a majority in both houses. The consent of the prince of Orange, which he had once considered necessary, was now a matter of less importance. The queen was pregnant; and her child, if, as he promised himself, it should prove a boy, would be entitled to the succession in the place of his daughter the princess Mary. He beheld with satisfaction the sudden damp which this intelligence cast on his opponents: but the report was soon met by a rumour most industriously circulated, that the queen's pregnancy was a mere pretence, the first act of a farce, which would end in the production of a suppositious child, a false prince of Wales, to the exclusion of the true protestant heirs⁴⁸. In ordinary circumstances so improbable a tale could not have found credit: but it was eagerly received by the prejudice of party, and to give to it a greater air of probability, the story of queen Mary's "mock conception" by Fox the martyr-ologist, was reprinted and distributed among the people, under

⁴⁸ Of the reality of the queen's pregnancy, and of the birth of the prince, no man can reasonably doubt, who has perused the extracts from her letters to the princess of Orange (Ellis, 1 series, iii. 348), the depositions made before the council (Several declarations, &c. 23, 40, 41, 47), and the passages selected by Mazure from the despatches of Barillon and Bonrepaus (Mazure, ii. 366—369, 459). From these it appears that the queen was herself uncertain as to her time, reckoning occasionally from the king's arrival at Bath

in the beginning of September, and occasionally from their return to Windsor in the beginning of October: a point of some consequence in the controversy, as it completely sets aside the most plausible of the objections: though it is plain, that if fraud had been intended, nothing was more easy than to have fixed on a certain time, and to have abided by it. See also the letters in Dalrymple (303—314), which do little credit to the filial piety of the princesses Mary and Anne.

the title of "Idem iterum, or queen Mary's big belly." James, however, treated this attempt with scorn, and by proclamation announced the propitious event to his loving subjects, ordering at the same time a day of thanksgiving to be observed, with a form of service prepared by the three bishops of Durham, Rochester, and Peterborough.

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Dec. 23.

From this moment his adversaries watched his conduct with more than their former jealousy, while the infatuated monarch continued to act as if it were his wish to conjure up and combine together all the elements of that storm, which in a few months burst on his head, and swept him and his from the throne.

1. The elector of Cologne had appointed for his resident at the English court a native Benedictine monk, of the name of Corker, who had been tried for his life during the imposture of the popish plot. There was something sufficiently extraordinary in the appointment itself: but James was not satisfied: he insisted that the resident should be introduced at court in the habit of his order, accompanied by six other monks, his attendants, in a similar dress. It was a ludicrous rather than an offensive exhibition: but, while it provoked the sneers and derision of the courtiers, it furnished his enemies with a new subject of declamation against him, who, not content with screening these men from punishment, brought them forward as a public spectacle, to display his contempt of the law, and defiance of public opinion⁴⁹.

Presentation
of Corker.

Feb. 1.

2. His next act was calculated to beget a fiercer and more general spirit of discontent. In the beginning of the year

Catholic
president of
Magdalen
college.

⁴⁹ Barillon, 16 Fev. "L'admission d'un Bénédictin à l'audience du roi d'A. en qualité d'envoyé d'un prince souverain, est plus capable d'éloigner les protestants de notre religion que de les y attirer; et comme on ne

voit point de semblables exemples dans les pays entièrement catholiques, il semble aussi qu'on pouvoit se dispenser de donner ce sujet de raillerie aux hérétiques." Louis à Barillon du 26 Fev.

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March 31.

Parker, bishop of Oxford, died, and James by a mandatory letter ordered the presidentship of Magdalen college to be given to Dr. Giffard, who was already selected for one of the four vicars apostolic ⁵⁰. The great majority of the fellows and demies, as the reader is aware, were already catholics: by this nomination the president was now a catholic; so that the college in fact was taken from the protestants and made a catholic establishment, and that too, by a prince, who had solemnly promised to maintain the rights and privileges of the church. In his defence it was argued, that by the obstinate secession of the former inmates the house had fallen to the crown, and that in such case the sovereign might reasonably fill it with one class of religionists, when it had been abandoned by the other. But such sophistry could make little impression on the mind of any man, who considered the origin of the quarrel, and the law of the land. A prudent prince would have grasped at the opportunity of effecting a reconciliation with the university: James by a new act of injustice chose to augment and perpetuate the cause of irritation ⁵¹.

New declara-
tion of liberty
of conscience.

April 25.

But that which filled up the measure of his offences, was the prosecution and trial of the seven bishops. A year had elapsed since his proclamation of liberty of conscience. He now ordered it to be republished, and appended to it an additional declaration, stating his unalterable resolution of securing to the subjects of the English crown "freedom of conscience for ever," and of rendering thenceforth merit and not oaths the qualification for office. A rival people (the Dutch) might censure and com-

⁵⁰ Hitherto there had been but one catholic bishop in England, Dr. Leyburn; but three others, Philip Ellis, a monk, Dr. Giffard, and Dr. Smith, secular clergymen, were appointed on the 30th of Jan. 1688, and the kingdom

was divided into four districts, one of which was allotted to each on the 20th of July following.

⁵¹ James, ii. 125. Dodd, iii. 469. Burnet, ii. 219.

plain—they would be the losers by the improvement—but liberty of conscience would add to the wealth and prosperity of the nation, and give to it what nature designed it to possess, the commerce of Europe. He would have his subjects to look back on the three years, which they had already passed under his sway, and judge from the ease and happiness which they had enjoyed, whether, instead of being the tyrant represented by his enemies, he had not been in reality the father of his people. Wherefore he conjured them to lay aside all jealousies and animosities, and prepare to elect for the next parliament, which would meet at the latest in November, such representatives, as might aid to complete the great work which he had so happily begun⁵².

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The king had persuaded himself that considerable benefit would be derived from this declaration; and that it might be the more generally known and obeyed, an order was sent to the several bishops from the council, enjoining that it should be read by the clergy in their respective churches, at the usual time of divine service, in London on the 20th, in the country on the 27th of May—an order, the impolicy of which is so very obvious, as to provoke a suspicion that it proceeded from the advice of a concealed enemy. It was not, indeed, without a precedent. In 1681, at the suggestion of archbishop Sancroft, the declaration of Charles II. against the Whigs was read by order of the king during the service⁵³. But then the court was in favour with the church, and no man thought of disobeying an order which he approved. But now, when the minds of the clergy were estranged by jealousy, and embittered with resentment, to insist that they should read to their flocks

Order to
read it in the
churches.
May 4.

⁵² Wilkins, Con. iv. 616.

⁵³ Burnet, iii. 212. Baker, Continuation, 709.

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Several
bishops ob-
ject.

May 12.

a declaration which they judged hostile to their interest, was to provoke a quarrel which, in the feverish state of the public mind, could not fail of proving most injurious to the royal cause. After a few days the archbishop gave a dinner to the leading clergymen in the capital: and, when those who had not been admitted into the secret, were departed, Compton of London, Turner of Ely, and White of Peterborough, with Dr. Tennison, remained in consultation with the metropolitan. By them it was resolved that the clergy could not read the declaration either in prudence or in conscience: not in prudence for three reasons, because it was contrary to the interest of the church, because it would be taken as a proof of their approbation or their cowardice, and because it would lead to the reading of other and perhaps still more offensive papers; nor could they read it in conscience, because it contained illegal matter, as it presupposed not merely a dispensing but even a disannulling power in the crown. But it might be asked, were the clergy the proper judges of that question? Or could they conscientiously refuse to obey an order issued by the head of their church? The objection was answered by a train of reasoning which would have done honour to the most subtle casuist: that each individual must judge for himself, and act according to that judgment: that hence, if he judge a declaration illegal, there can be no disobedience in refusing to read it: for unlawful matter ought not to be published by him who thinks it unlawful, because it cannot come to him from any lawful authority; not from the king, for the king can do nothing unlawful; nor from his ministers, for they must have their authority from him. The refusal then is lawful, and consequently free from the guilt of disobedience⁵⁴.

⁵⁴ Kennet, 482. James, ii. 152. Clarendon's Diary, 171.

In consequence of this resolution seven other bishops were invited to join the four in London; and of these Lloyd of St. Asaph, Kenn of Bath and Wells, Lake of Chichester, and Trelawney of Bristol, obeyed the summons. Before them was laid a petition to the king in the handwriting of the archbishop, praying in respectful language that the clergy might be excused from reading the declaration, not because they were wanting in duty to the sovereign, or in tenderness to the dissenters, but because it was founded on the dispensing power which had often been declared illegal in parliament: on which account they could not in prudence, honour, or conscience, make themselves such parties to it as the reading of it in the church would amount to in common and reasonable construction. To this instrument they set their names, with the exception of the bishop of London, who was still suspended from his jurisdiction; and the subscribers, leaving at Lambeth the archbishop, who had been some time before forbidden access to the court, presented it on the same evening to the king in his closet ⁵⁵.

That the matter of the petition would prove offensive, there could be no doubt: but James had an additional and more reasonable cause of complaint. They had suffered fourteen days since the issuing of the order to pass in silence; and now, when there wanted but thirty-six hours of the time for carrying it into execution, they for the first time came forward with their objections. The delay might not have been intentional: it might have arisen from indecision or apprehension: but to the king it seemed as if they sought to take him by surprise, to extort from him an answer, without allowing him leisure for

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They petition
against it.

May 18.

Their inter-
view with the
king.

⁵⁵ Clarendon's Diary, 171. Kennet, 483. State Trials, xii. 453. State Tracts, 430.

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deliberation. He replied with warmth and asperity, that he had not expected such treatment from the church of England ; that they were sounding the trumpet of Sheba, and raising a devil, which they would never be able to lay ; that they made themselves the tools, unconscious tools, he had the charity to believe, of men, who aimed at the ruin of the church as well as of the throne ; that the dispensing power was part of the doctrine of the church ; that some among the subscribers had both preached and written in defence of that doctrine ; that it was a power which, as God had given it to him, he would be careful to maintain ; and that, whatever they might think, there still remained seven thousand men, and of the church of England too, who had not yet bowed the knee to Baal. On their part they conjured him not to think so harshly of them : they would lose the last drop of their blood rather than lift up a finger against him : but if they were bound to honour *him*, it was also their duty to fear God : to read the declaration was against their conscience, and they hoped that he would allow to them, what he professed to grant to all, liberty of conscience. In conclusion, he did not return a positive refusal. He would take time to consider. If he changed his mind they should hear from him in the course of the following day : if they did not, they might know that the order was to be obeyed ⁵⁶.

He does not
revoke the
order.

James might, perhaps, have relented ; but, to add to his vexation, he learned the same night that the petition, though it had never yet been out of his possession, was actually printed, and openly distributed in the streets of the metropolis.

⁵⁶ James, ii. 154, 155. Clarendon's Diary, 172. App. 479. State Trials, xii. 454. Lonsdale, 26—28. Gutch, i. 335—338.

This treatment, acting on a mind naturally obstinate, confirmed him in his first resolution. He no longer doubted that it was a preconcerted plan: that the motions of the prelates were secretly guided by the leaders of his opponents; and that the object of the publication was to embarrass him, and to excite the clergy to resistance. The next morning he took the advice of the twelve judges; the day passed in silence; no notice was forwarded to the prelates; and on the Sunday the declaration was read in a few, but a few only, of the churches in London⁵⁷.

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May 19.

May 20.

This conduct of the bishops perplexed the royal counsels. Many contended that by the premature publication of the petition, and their subsequent disobedience, they had compromised the authority of the sovereign; that, if he permitted them to beard him with impunity to his face, he might as well resign the sceptre at once; and that, to prevent similar acts of insubordination, he ought to send the offenders for punishment before the ecclesiastical commission. Others (and among them, it should be observed, were Sunderland and Petre⁵⁸) represented the danger of arraying the whole church of England against the authority of the crown, and advised that the bishops should be admonished of their fault, and told that, if they escaped with impunity, it was owing to that very declaration which they refused to read, to that universal liberty of conscience, which they so loudly condemned. James fluctuated between these opposite opinions: but the first, though

Determines
to prosecute
the sub-
scribers.

⁵⁷ Higgons, 333. James (Memoirs), ii. 211. Clarendon's Diary, *ibid.* Evelyn, iii. 342. "On ne doute pas que ce qu'ont fait quelques uns des Evêques ne soit concerté avec plusieurs autres, et avec les chefs du parti opposé à la cour." Barillon, 3 Juin.

⁵⁸ In the despatch which contains the account of these different opinions, Barillon

expressly says of the advice to dismiss all intention of prosecuting the bishops, "cet avis est celui de mylord Sunderland et du P. Piters (Barillon, *ibid.*); and I notice the passage, because it refutes the report spread abroad at the time, that Petre in very offensive terms had urged the king to punish the prelates.

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Their beha-
viour before
the council.

June 8.

he admitted it to be the less prudent, accorded better with his unyielding disposition; and he resolved to call the offenders to account, not indeed before the ecclesiastical commission—that would bear the appearance of religious persecution—but before a criminal court, and for a civil misdemeanour.

Of all the counsels which marked the arbitrary yet impotent policy of the king this was by far the most mischievous. It drove the very assertors of passive obedience into the arms of his enemies, who were not slow to avail themselves of the advantage, to add to the irritation of the public mind by pamphlets and reports, and to encourage the bishops by the offer of their sympathy, and presence and advice. When the seven prelates appeared before the council, they met with a gracious reception from the monarch; and having, after some demur, acknowledged their respective signatures to the petition, were told by the chancellor that they must answer for the offence in Westminster-hall, but that, in the mean time, to spare them the disgrace of imprisonment, the king would accept their personal recognizances. They replied, as had been previously arranged, that they were peers of the realm, and, as such, could give no other security than their word⁵⁹. The council seemed taken by surprize. The bishops were at first ordered to withdraw, and then recalled: the offer was renewed; it was represented as a favour which the king wished them to accept: but they persisted in the refusal; and a warrant was drawn for their commitment to the Tower, charging them with contriving, writing, and publishing a sedi-

⁵⁹ It had been understood from the answer of the archbishop to lord Berkeley on the preceding evening, that they would give such security, but the next morning that

prelate was informed that “all their wise friends” advised them to refuse. *State Trials*, xii. 457, 461.

tious libel⁶⁰, and signed by the whole board with the exception of Petre, who on his petition was excused by the king, and of lord Berkeley, who, though he had concurred in opinion with his colleagues, was at the moment, accidentally or designedly, absent⁶¹.

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To check the expression of popular feeling, and to prevent any attempt to rescue the right reverend prisoners, it had been thought prudent to convey them by water to the Tower. As they proceeded down the river, the people cheered them from the bank; on their landing the officers and privates of the garrison bent their knees, and solicited the blessing of those whom they were commissioned to keep in confinement. It was the hour of the evening service. The prelates hastened to the chapel; the second lesson was read; "I have heard thee in a time accepted, and in the day of salvation I have succoured thee; behold, now is the accepted time; behold, now is the day of salvation;" nor can we be surprised if men in such a state of excitement applied these words to themselves, and took them for a prediction of the deliverance of the church from the ruin with which they thought it was menaced⁶².

Who are
committed to
the Tower.

But two days later, while the public attention was absorbed

Birth of a
prince.
June 10.

⁶⁰ James, ii. 158. State Trials, 198, 455—462. Clar. Corresp. ii. 175, 177. App. 481—484. Though the prosecution was determined upon in opposition to the advice of Sunderland, Barillon observes of him, that "*comme habile ministre et bon courtisan il soutient avec beaucoup de chaleur et de fermité les résolutions qui ont été prises.*" 1 Juillet. The compiler of the Memoirs of James attributes, but without referring to any authority, the resolution to Jeffreys. Jeffreys himself, without a positive denial, seeks to insinuate the contrary in his conversations with Clarendon a few days afterwards. Diary, June 24, 27.

⁶¹ Barillon, 21 Juin. He attributes the absence of Berkeley to fear.

⁶² In the mean time the petition was subscribed by the bishops of London, Norwich, Gloucester, Salisbury, Landaff, Worcester, Winchester, and Exeter. Those who published the order for reading the declaration were the bishops of Durham, Lincoln, Hereford, Rochester, Chester, and Carlisle. Of these six two only, Hereford and Chester, refused the oaths to king William, while of the seven who were prosecuted, the archbishop, and the bishops of Ely, of Bath and Wells, of Chichester, and of Peterborough, were deprived on that account.

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by the proceedings against the bishops, the queen was unexpectedly taken in labour. Messengers were instantly despatched; the royal physicians, the ladies of the court, and the members of the council hastily assembled in her apartment; and in the course of an hour the king was blessed with what he so ardently wished for, the birth of a son, the apparent heir to his crown. He did not dissemble, his friends did not dissemble their common joy; their chief apprehension was removed; the princess of Orange was no longer the next in the succession. The disappointment and vexation of his opponents were equally marked. But they quickly rallied: they had prepared the people to expect a suppositious birth, and they maintained that their predictions had been verified. A number of reports and fables were immediately circulated. It was said that the queen had never exhibited those appearances which accompany a state of pregnancy; and had taken care that the pretended delivery should happen in the absence of the princess of Denmark, and of those who were the most interested in the event. According to one tale she had suffered a miscarriage in the third, according to another in the sixth, month; some persons described minutely how the child had been introduced beneath the bedclothes in a warming-pan, and thence exhibited to the spectators by the midwife as the royal infant, while others cared not whether there had been a real birth or not; certain they were that the child died in a few hours, and that another was substituted in its place. The inconsistency of these accounts furnishes a sufficient proof of their falsehood: but they were so often and so positively asserted that they made impression: well-meaning individuals began to think the birth of the prince problematical, while thousands, consulting their prejudices rather than their judgment, held it for an undoubted

imposture. By James this imputation, so injurious to his honour and veracity, was keenly felt: but he scorned to notice it publicly, and contented himself with ordering a day of general thanksgiving, making on the occasion presents to his ministers, and giving a considerable sum in charities to the poor⁶³.

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Could the king have foreseen the consequences of his contest with the bishops, he had now, by publishing a general pardon on the birth of his son, a fair opportunity of extricating himself without disgrace from that pitiful yet dangerous quarrel. But his high and obstinate temper never knew when to yield, and he risked the very existence of his authority, that he might not be thought to have exercised it in vain. On the appointed day the seven prelates were brought from the Tower accompanied by several peers and gentlemen: on their approach to Westminster-hall the crowd divided; and as they passed through the lane of spectators, the bystanders begged their blessing, and kissed their hands and garments. After much time had been spent in arguing the objections taken by their counsel, they pleaded not guilty, and were discharged on their own recognizances to appear again for trial on that day fortnight. As they left the court, they were greeted with loud acclamations; the enthusiasm of the people shewed itself by lighting bonfires in the evening and drinking to the seven champions of the church; and their liberation was celebrated as a triumph, though it had in reality

The bishops
are bailed.

June 15.

⁶³ Barillon, 1 Juil. Gaz. 2345. See also these absurd reports collected with care by Burnet, iii. 236—245. Isabella lady Wentworth, who was in attendance, had nevertheless declared to him, "that she was as sure the prince of Wales was the queen's son, as that

any of her own children were hers; when out of zeal for the truth and honour of my mistress," said she, "I spake in such terms as modesty would scarce let me speak at another time." Ibid. 368.

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Their trial.
June 29.

been obtained by the very same concessions, which they had refused to make in presence of the council ⁶⁴.

The expectation of the trial drew multitudes from the country to the metropolis. On the 29th of June thirty peers, the friends of the prelates, appeared on the bench; Westminster-hall was crowded with spectators; and an immense concourse of people, agitated by the most impatient anxiety, awaited the result in the open air. Within the court, the officers were unable to maintain the usual forms of decorum. The feelings of the audience burst through every restraint; and repeated cheers of approbation encouraged the witnesses and the counsel for the prisoners. Powis the attorney, and Williams the solicitor-general, Shower the recorder, and sergeants Trinder and Baldock appeared for the crown, and against them were arrayed, Pemberton formerly chief justice, Levinz, Sawyer, Finch, Pollexfen, Treby, and Somers: a singular arrangement, which gave the defence of the popular cause to Sawyer and Finch, the conductors of all the state prosecutions towards the end of the last reign, and converted Williams, the Whig advocate and former enemy of the duke of York, into a zealous champion of the pretensions of James. This change of parties gave birth to much altercation. Taunts and sarcasms were thrown out and retorted; the counsel reproached each other with maintaining doctrines which they had formerly reprobated; and it required all the authority of Wright, the chief justice, to recal them from personal invective to the cause before the court. The information charged the prisoners, that they had written and published a seditious libel in the county of Middlesex. The first part, *the writing*, the

⁶⁴ State Trials, xii. 189—277. Burnet, iii. 221. Echard, 1103.

crown lawyers were compelled to abandon. For though it was shown (but only from the admission of the prelates before the council), that the signatures were in the hand-writing of the respective defendants, there was not only no proof that they had signed their names in Middlesex, but Lambeth, where every one knew that the subscription took place, was situate in the county of Surrey. Neither were they at first more successful with respect to the *publication* in Middlesex. That a petition had been presented to the king in that county, was admitted : but that the very petition in question had been presented by the seven prelates, could not be proved : and the chief justice had commenced his charge to the jury with the intention of directing an acquittal, when he was imprudently interrupted by Finch, who requested permission to make some additional observations. To the surprise of the court, when the indulgence which he craved had been granted, it was immediately waved : but his opponents had improved the opportunity to send for lord Sunderland, who deposed that the defendants informed him of their purpose of presenting a petition, that he accordingly introduced them to the king, and that his majesty showed him the petition in question as that which they had put into his hands. This testimony, though subversive of the defence which had been set up, proved to the parties the occasion of a more important victory. Without it the bishops would have been acquitted on the ground of technical informality ; after it they obtained an acquittal on the very substance of the charge. Their advocates abandoned the subterfuges on which they had hitherto relied, entered into the real merits of the case, and contended that the bishops had only exercised their right of petitioning for the redress of grievances as British subjects, and their duty of supporting the act of uniformity as its legal

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Their defence.

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guardians ; that their petition was not seditious, because it was presented in private, nor false because the matter of it was true ; nor malicious, because it was drawn from them by necessity, and offered to the sovereign with the most innocent intention. But that which chiefly delighted and electrified the audience, was the eagerness with which they discussed the question of the dispensing power, and the eloquence with which they combated the arguments of its advocates.

Opinions of
the judges.

The judges charged the jury separately. Wright, the chief justice, said, that the question of the dispensing power was not before them : if they believed the petition in the information to be that which the bishops presented to the king, the publication was proved ; and, if it were calculated to breed dissension between the king and the people, as in his judgment it was, it must be considered as a libel. He was followed by Halloway, who maintained that the offence consisted in the intention, and that, if the bishops only sought to free themselves from blame, by stating the reasons why they could not obey, the petition in his judgment could not be a libel. Powell succeeded, who confined himself to the dispensing power. The petition pronounced that power illegal ; and would certainly be libellous if the assertion were false. But it was true. He had read of no case in law which showed that the king possessed such power, and this he knew that the exercise of it would vest the whole legislative authority in the sovereign, and render parliament unnecessary. Lastly came Allybone, who said that, for a private individual to pronounce the proceedings of government illegal, whether it was done under the form of a supplication, or petition, or address, was a libel : the reformation of such things belonged not to private persons but to the two houses of parliament. He would not discuss the prerogatives of the king or the privileges

of the subject, but he thought that in the present case those venerable prelates had travelled out of their province, and by declaring the conduct of government illegal, had taken upon themselves more than any individuals ought to do ⁶⁵.

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The jury (for it cannot be objected to this misguided prince that he ever made an attempt to pervert the course of justice) had been fairly chosen. Differing in opinion among themselves, they left the court, and spent the night in loud and violent debate. In the morning they returned, and pronounced a verdict of not guilty. It was received with deafening shouts of applause; the enthusiasm communicated itself to the crowd without the hall; it was rapidly propagated to the extremities of the metropolis; thence it reached the neighbouring hamlets, and at length penetrated to the camp on Hounslow-heath, where, it is said, that the king himself, who chanced to be dining with the general, lord Feversham, was surprised and alarmed at the acclamations of the soldiers ⁶⁶.

Verdict of
acquittal.

When he had leisure for sober reflection, James did not fail to condemn the rashness which had hurried him into this ill-advised and unsuccessful contest. But if the prejudice which it would offer to his interests forced itself on his attention, he sought to console himself with the consideration of the benefits to be derived

Its influence
on the public.

⁶⁵ Of the three puisne judges Halloway and Powell were dismissed at the end of the term, on account of their charges in favour of the bishops. That this was the true reason of their discharge is evident from the testimony of Barillon, who announced it some time before. (*Les deux juges, qui ont voté pour les Evêques seront destitués, mais on laissera achever le terme auparavant. Barillon, 12 Juillet.*)

⁶⁶ For this important trial see *State Trials*, xii. 277—431, 475. Burnet, iii. 222—226. Macpherson, i. 266. Ellis Correspondence, ii. 7—12. *Clar. Diary*, 179, 180. *Hist. of*

Eccles. Commis. 53—60. Barillon in his letter gives a long account of it to Louis. He says the jury were divided in the evening, seven against, and five for the bishops. But “la vérité est que les juges et les jurés ont été entraînés par le torrent du peuple, et que ce grand concours, qui a paru en faveur des évêques, les a intimidés. La joie et les acclamations ont été fort grandes à Westminster, quand on a su la décision. Il y a eu des boîtes tirées sur la rivière. On fit des feux de joie. La populace brula une représentation du pape.” 12 Juillet.

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from the birth of his son, and the hope that the one would counterbalance the other. But in this he was also disappointed. That birth proved the immediate occasion of his downfall. Thousands had hitherto borne with his misrule under the persuasion that their grievances would be redressed during the expected reign of his daughter and her husband; but now that there was an heir apparent, who would probably be educated in the faith and principles of his father, instead of ceasing to look forward to the prince of Orange, they fixed their eyes on him with greater earnestness, considering him as the only man, whose interference could preserve their liberties and religion. The enemies of James were careful to encourage and propagate this opinion ⁶⁷.

Preparation
and disap-
pointment of
the prince.

With regard to the prince himself, he had never lost sight of the great object of his ambition. During the months of April and May it was discovered by the French ambassador at the Hague that a swift-sailing boat repeatedly brought messengers from England, whose arrival was constantly followed by long and secret consultations. Of these messengers the most important was admiral Russel, afterwards earl of Orford, who sought to draw from William a promise of assistance against some fixed period; and though the result of his mission was kept secret at the moment, it was gradually unfolded by subsequent events. A pamphlet was published in Holland to prove that James was an usurper, because, being a catholic, he could not inherit the English throne, and that the princess of Orange was the rightful sovereign, and ought to have succeeded on the death of her uncle Charles II. The fleet in a complete

May 10.

⁶⁷ La naissance du P. de Galles peut apporter un changement considerable, et fortifier le parti de la royauté. Les factieux cependant croient être en plus grande nécessité

de s'opposer au desseins de sa M. B. et cela peut hâter l'exécution de ce qu'ils veulent entreprendre. Barillon, 21 Juin.

state of equipment lay in the road of Schoonveldt, ready to sail on the first opportunity ; the six British regiments, with the Dutch troops at Utrecht, and the garrisons in Zealand, received orders to hold themselves in readiness to march at a moment's notice ; and it was announced that the princess intended to pay a visit to the States of that province in July, and would be followed in a few days by the prince. As July was the month in which the queen of England expected to be delivered, there could be no doubt of the real object of this arrangement. William meant to show himself on the coast at the head of a considerable force, for the encouragement of his adherents in England, and probably to pass over to their assistance should the birth of a prince furnish occasion to an insurrection. But the child was born a full month before the expected time, an unpropitious event, which broke all these counsels. Nothing more was heard of the visit to Zealand ; and William, in return to a communication from James, despatched Zuleistein to England, with his warm congratulations on so fortunate an occurrence. This mission, he trusted, would serve to lull the jealousy of the king ; and, which was equally important, would furnish an opportunity of learning with accuracy the ulterior views, and the probable resources, of his party in England. Zuleistein was graciously received ; but instead of returning immediately to Holland, spent his time in paying visits to his friends, which, while he seemed to have no other object in view but pleasure, gave him the opportunity of conferring in secret with the adherents of his master ⁶⁸.

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June 23.

In one of these meetings, held at the house of the earl of

Memorial to
him from
England.

⁶⁸ Lettres d'Avaux, du 20 Mai ; 3, 10, 24 Juin ; 1 Juillet. Burnet, iii. 246.

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June 30.

Shrewsbury, that nobleman, with the earls of Devonshire and Danby, the bishop of London, the lord Lumley, admiral Russell, and Sydney, afterwards earl of Romney,⁶⁹ subscribed in cipher an address to the prince, stating that of the common people nineteen parts out of twenty longed most anxiously for a change, and that the nobility and gentry, though they did not express themselves with equal freedom, were animated with the same sentiments ; that, if the prince were to land with a force sufficient to promise protection to his friends, he would in a few days find himself at the head of an army double in number to that of the king, and would see crowds of officers and privates abandon the royal standard for that of religion and liberty ; that the present, considering all circumstances, was a most favourable moment for the attempt ; and that if he would engage to land before the end of the year, they, the subscribers, would not only join him themselves, but prepare others to accompany or follow them. One thing, however, they submitted to his most serious consideration. Could he assemble the necessary force without awakening suspicion ? For if the design were to transpire, the immediate arrest and incarceration of his friends in England would deprive him of that aid and co-operation on which the success of the enterprise must in a great measure depend ⁷⁰.

⁶⁹ Sydney enjoyed the chief confidence of the prince, and was the man who formed the association. See Burnet, iii. 265.

⁷⁰ See it in Dalrymple, 229, subscribed by 25, 24, 27, 29, 31, 35, 33. The earl of Nottingham (23) refused to sign, pleading scruples of conscience, which his associates termed suggestions of cowardice. Dalrymple, 232. Nottingham excused himself because " he apprehended no ill consequences to religion or the just interests of his highness,

which a little time would not effectually remedy, nor could he imagine that the papists were able to make any further considerable progress." Ibid. 237, July 27. The same had always been the opinion of lord Halifax, with whom the prince continued to correspond, without admitting him to his confidence, or placing any trust in his professions of service. See several letters by Halifax in Dalrymple, 186, 209, 219, 235.

It is probable that this memorial was transmitted to the prince by the hands of vice-admiral Herbert, who having been refused permission to leave the kingdom, escaped in the dress of a common sailor. Herbert was a bold and experienced mariner, who had tasted largely of the royal bounty, but had afterwards forfeited the command of a regiment, and the office of master of the robes, on account of his refusal to vote for the repeal of the test act. Russell brought him an invitation from the prince with the promise of a command in the Dutch fleet; and a strong but fallacious hope was cherished that his name would act as a spell to debauch the English sailors from their allegiance. William, after a conference with the fugitive, forbade the young prince to be named in the prayer for the royal family, openly hinted his suspicion of an imposture, and instructed his dependents in Holland to pronounce the child supposititious; and this he did in conformity with the advice of his English associates, as affording him a plausible pretext for coming to England to inquire into the supposed injury done to the rights of his wife. The answer which he returned to the memorial is not extant; its purport must be collected from his subsequent conduct⁷¹.

It was a fortunate circumstance for the prince that the political state of Europe afforded him opportunities, which he dexterously improved, of promoting, and at the same time disguising, his design. That hostility which events had originally engendered between him and the king of France, had subsequently been so far inflamed by mutual acts of provocation, that to humble the pride and reduce the power of Louis seemed for some years to have been his chief study and

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—
Escape of
Herbert.
July 10.

Continental
politics.

⁷¹ Barillon, 20 Mars. Dalrymple, 225. D'Avaux, 20 Juil.; 10 Août. Herbert was afterwards made earl of Torrington.

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1686.
June 29.

1687.

1688.
May 25.

his ruling passion. In 1686, at his instigation, the emperor, the king of Spain in quality of duke of Burgundy, the king of Sweden in virtue of his dominions in Germany, and several other princes, had subscribed the league of Augsburg, under the specious pretext of maintaining the peace of the empire, but in reality to oppose the pretensions of France⁷². The next spring other powers, whose envoys met during the amusements of the carnival at Venice, acceded to the confederacy ; more than one-half of Europe was engaged to fly to arms on the first aggression on the part of Louis ; and with this view, not only the most powerful of the catholic princes, but the pontiff himself, Innocent XI., had entered into bonds of the strictest amity with the Prince of Orange. The death of the elector of Cologne in May, 1688, put this mighty confederacy in motion. That elector had possessed, besides Cologne, the bishoprics of Liege, Munster, and Hildesheim ; his army amounted to twenty thousand men : and in the war of 1672 the co-operation of his forces, and the favourable situation of his dominions, had taught the French to prize his friendship, the allies to lament his enmity. Aware of the importance of providing for him a successor attached to the French interest, Louis had prevailed on the chapter to elect as his coadjutor the cardinal of Furstemberg, bishop of Strasburg. But as a qualification for the coadjutorship it was necessary that he should previously resign his bishopric : and Louis now found reason to repent the insults which he had heaped upon the pontiff, who resolutely refused to accept the resignation of the cardinal. On the death of the elector the choice of his successor devolved of course to the chapter : Louis proposed the cardinal ; the allies

⁷² Dumont, vii. par. ii. 130—138.

of the league of Augsbург the prince Clement of Bavaria, though only seventeen years of age. The former had the majority of voices ; but two-thirds were required for a valid election ; and in default of these the choice devolved to Innocent, who selected the prince of Bavaria. The allies were equally fortunate at Hildesheim, Liege, and Munster, but, though in these places the French candidates were rejected, the principal fortresses, Bonn, Neutz, Keiserswert, and Rhinberg, were held by forces in the service of the cardinal, and consequently at the devotion of France. The armies on both sides were speedily in motion ; and Louis in a passionate manifesto accused the pontiff of violating the laws of justice in favour of Austria, and of encouraging the prince of Orange to expel a catholic king from the throne of England ⁷³. William viewed these events, as they passed, with the eye of an experienced statesman ; he took an active and important part in every negociation ; and while he silently prepared his expedition against England, pretended to have in view no other object than the defence of the empire and of his own country against the meditated aggression of France. Under cover of this pretence he was able to infuse new vigour into the States-General and the several departments of the government. Orders were issued for the encampment of twenty thousand men between Grave and Nimeguen ; fifty pieces of cannon, with the requisite supply of ammunition, were taken from the arsenals, and placed on flats to be conveyed to the rendezvous of the army ; seven thousand men were raised for the naval, nine thousand for the military service ; twenty-seven

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July 9.

Aug. 27.

July and
August.

⁷³ Dumont, vii. par. ii. 167. There are in Dalrymple two letters from the cardinal d'Estrées at Rome, which, if they are genuine, show that the design of the prince

had long been known to Cassoni, the papal minister, though concealed by him from the knowledge of the pontiff. Dalrymple, 241.

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IX. in commission, and the squadron in the Zuider Zee received
A. D. 1688. orders to proceed to the Texel, that it might be prepared to
join the other squadron at Helvoetsluys ⁷⁴.

Incredulity of
James.

Aug. 19.

From the commencement of the year the French and English ambassadors at the Hague had watched with jealousy the proceedings of William, and had communicated their suspicions to their respective sovereigns. Louis at first, uncertain whether the Dutch armament was designed against the king of England or the king of Denmark, proposed to James the junction of the English and French fleets, as a measure of precaution ⁷⁵: afterwards, having obtained more correct intelligence, he warned his English brother of the impending danger by repeated messages from the end of May to the beginning of September, and at last he sent Bonrepaus to convince him of the design of the prince of Orange, to prevail on him to prepare against the invasion, and to offer him the services of the French fleet ⁷⁶. But the infatuated monarch was deaf to every admonition. He refused to believe that a daughter whom he tenderly loved could ever conspire with her husband to dethrone her father; he concurred in opinion with Sunderland, that the States would not suffer the prince to

⁷⁴ D'Avaux, 27, 29 Juil.; 10, 20, 21, 31 Août.

⁷⁵ This suggested to Sunderland a new intrigue for the sake of money. At first the proposal was received with an air of indifference; then an answer was given that James would fit out a fleet of twenty sail, provided Louis would defray the expense; and at last the form of a treaty was drawn, by which the king consented to equip the ships for a lower sum than had been previously asked, but under a secret understanding that the pension of Sunderland should be doubled.

Louis, however, replied, that Denmark was no longer threatened; and that James must provide for his own security. The fleet was in consequence prepared for sea without any aid from France, and Sunderland obtained no addition to his pension. See Barillon's letters from the 22d of March to the 2d of June.

⁷⁶ His arrival provoked a report that he came to offer the king the aid of thirty thousand men: but his instructions related solely to the junction of the fleets.

employ their naval and military force in a distant expedition, which must leave the country open to the ingress of a French army; and he concluded that their warlike preparations were provoked by the uncertain and menacing state of affairs on the continent. He was even led to suspect, that the warnings which he received were in reality so many artifices employed to draw him into an alliance with France before the opening of hostilities in Germany, an alliance most hateful to his subjects, and contrary to the policy which he had hitherto pursued. Skelton the ambassador at Paris saw with pain the incredulity of his sovereign; he acknowledged to the French minister his conviction that his master was deceived and betrayed; and, through his anxiety to avert the catastrophe which he feared, gave his sanction to the following expedient which nothing but the magnitude and the certainty of the danger could have excused ⁷⁷.

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Aug. 20.

Albeville having by order of James demanded an explanation of the armaments going forward in the ports of the republic, d'Avaux the next day, in a long harangue addressed to the States, enumerated all the warlike preparations made by the stadtholder of his own authority and without the permission or knowledge of their high mightinesses; and he assured them that his sovereign, being perfectly acquainted with the real object of the prince, had instructed him to let them know that the king of England was the ally of the king of France, and

Memoir of
d'Avaux.

Aug. 30.

⁷⁷ Il est bien certain que ce grande armement ne peut regarder que l'Angleterre. Cependant le roi d'A. ne demande aucun secours au roi. . . . Enfin il paroît dans une lethargie surprenante. Le roi a fait parler sur cela à M. Skelton, et il paroît par ce que cet envoyé a répondu, que le roi d'A. prétend être sûr de ceux qui commandent ses vaisseaux, mais qu'il n'a nulle sûreté à l'égard des officiers et des troupes de terre. . . . le dit sieur Skelton a répondu nettement que cette

grande sécurité lui faisoit craindre avec beaucoup de raison que son maître ne fut trahi, qu'il étoit informé des liaisons secrètes que quelques uns de ses principaux ministres avoient avec des gens entièrement dévoués au P. d'Orange, et il a même en quelque manière designé myl. Sunderland. Seignelay à Bonrepas, 31 Août. For the source of Skelton's information see Dalrymple, Hist. i. 201, note.

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that the first act of hostility committed against the former would be taken by the latter as a declaration of war. The same message was delivered at the same time to the Spanish governor of the Netherlands, and the marshal d'Humieres hastened from Paris to assume the command of the French army in Flanders ⁷⁸.

It is dis-
avowed by
James.

If any thing could have saved James from his impending fate, it was this declaration. The confidential friends of William heard it with feelings of shame and dismay, and a messenger was despatched to recal him from Minden, where he was in close consultation with his German allies. But the English king proved his own enemy. He was not yet convinced that the armaments in Holland were designed against himself ⁷⁹: his pride was offended that Louis without solicitation should take him under protection as if he were a petty prince of the empire, and he feared that the bold but unfounded assertion of d'Avaux would persuade his subjects that he had entered into a secret alliance with France, a charge which he had always denied. To add to his embarrassment Van Citters, the Dutch, and Ronquillo, the Spanish, ambassadors complained of the deception which had been practised upon them, asked for some explanation of the secret treaties between the two kings, and

⁷⁸ "Sa majesté m'a commandé de vous déclarer de sa part que les liaisons d'amitié et d'alliance qu'elle a avec le roi de la G. B. l'oblige non seulement à le secourir, mais encore à regarder comme une infraction manifeste de la paix et comme une rupture ouverte contre sa couronne le premier acte d'hostilité, qui se fera par vos troupes, ou vos vaisseaux, contre sa majesté Britannique." See also the letters of Louis to d'Avaux, 2 Sept., and Barillon, 3 Sept.

⁷⁹ Though Louis repeatedly complained of the supineness, the "lethargy" of his English brother, James persisted in thinking that the preparations in Holland were in

reality designed against France. That he was wrong the event has proved: but we are not to condemn him too severely; for Louis himself was, at times at least, of the same opinion. That monarch, in a letter to d'Avaux of the 30th Sept. N. S., expresses his doubts on the subject, and in a second of Oct. 7, his conviction that the preparations are designed against himself. He had that morning resolved to declare war, but something had since happened to raise new doubts, and he would therefore wait the event. . . . "il n'y a plus qu'à attendre l'événement." This appears to me to be the real meaning of his letter.

justified the armaments in Holland from the danger to which the States were exposed by the union of James with their inveterate foe, the French monarch. The king replied with warmth that he was not a cardinal of Furstemberg, to seek protection under the wings of a foreign prince; that from the commencement of his reign to that hour he had entered into no engagement whatever with Louis, and that Skelton had acted without instructions, and should suffer for his presumption. In effect, he recalled that minister, and committed him to the Tower⁸⁰.

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Sept. 17.

But what, it may be asked, was the real object of Louis: the safety of the English king, or some private interest of his own? If we consider that he had even then determined to make war on the emperor, that his plan of operations was already arranged, and that his numerous forces were already put in motion, it will not be unfair to suspect that he chiefly sought under the cover of this declaration to conceal his real purpose from the knowledge of the neighbouring powers. Within a fortnight the mask was thrown away. The French armies hastened from every quarter towards the Rhine; Philipsburgh was invested by the dauphin, and war was proclaimed against the emperor and empire, with an intimation that the king still intended to observe the peace with Holland, and the truce of twenty years with Spain. Never was intelligence more welcome to the prince of Orange. The removal of the French force and the pacific intimation of Louis left him at liberty to pursue his own design against James; and the relief afforded to the anxiety of the Hollanders was manifested by an immediate rise of ten per cent. in the price of the public securities⁸¹.

Louis makes
war on the
empire.

Sept. 14.

⁸⁰ Barillon, 16, 18, 20, 23, 25, 27, 30 Sept. D'Avaux, 18, 23, 24, 27 Sept.

⁸¹ Dumont, vii. par. 11. p. 160. D'Avaux,

27 Sept.; 7 Oct. Barillon, 25 Sept. Burnet, iii. 284. Negotiations de d'Avaux, vi. 134,

137. To that minister Louis excuses his

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James wishes
to conciliate
the States.

Sept. 26.

Oct. 4.

In England the effect was very different. A new light burst on the affrighted monarch, who at last saw the danger which threatened him, in all its magnitude and proximity. The friendship of Louis had proved a broken reed; and the security, which he derived from the position of the French force on the Dutch frontier, had unexpectedly vanished. 1. The council assembled, and orders were sent to Albeville to assure the States that no treaty existed between England and France but such as had been published; that James looked on the siege of Philipsburgh as a violation of the truce of twenty years, and that he was ready, as guarantee of that truce and of the peace of Nimeguen, to join his forces with those of Spain and the States for the preservation of the peace of Europe⁸². It was hoped that this overture would operate as a lure on the States and their allies, that it would lead at least to delay and negotiation, and would deter the Dutch government from lending their naval and military force to the prince, when every national object might thus be obtained with less danger and at a cheaper rate. Eight days elapsed before an answer was returned, during which William visited the deputies separately, explained to them his views and resources, and prevailed on them to believe that his intended expedition was necessary for the safety of their religion, and the independence of their country. At last a formal reply was made, at once illusory and insulting; illusory as it took no notice of the offer put forward by James, and insulting in as much as it intimated an inclination on the part

conduct in these words: "Je ne doute pas que la prise des principales places de Flandres n'eut donné plus d'apprehension aux Etats généraux que celle de Philipsburg. . . . mais la nécessité de prévenir les mauvais desseins de la cour de Vienne ne m'a pas laissé d'autre

parti à choisir que celui que j'ai pris." 14 Oct. In another letter to Barillon he enters into more particulars. 18 Oct.

⁸² Memoire présenté par le marquis d'Albyville du 5 Oct. D'Avaux, 5, 7 Oct. Barillon, 3, 7 Oct. Kennet, 489.

of the States to restore confidence between the king and his subjects by procuring security for the religion and liberties of the English nation⁸³.

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2. But James did not wait for this answer. The impolicy of his past misrule now flashed on his mind; he hastened to repair his former errors, and hoped by retracing his steps to recover the confidence of his subjects. Scarcely a day passed which was not marked by some new concession, granted with apparent cheerfulness, but in reality wrung from him by the necessity of his situation. He condescended to solicit the advice and aid of the bishops, whom he had so lately persecuted; he ordered the deputy-lieutenants and the magistrates, who had been removed for their answers to the three questions, to be immediately restored; he announced by proclamation, the design of invasion by the prince of Orange, his own intention of refusing foreign assistance, and of relying on the loyalty of his people, and the necessity of revoking in such circumstances the writs which he had issued for the meeting of parliament in November; the bishop of London was restored to the exercise of his episcopal jurisdiction; at the suggestion of Jeffreys the old charter was given back to the city; the advice offered by the prelates under ten heads was graciously and thankfully received⁸⁴: the dissolution of the ecclesiastical commission was followed by the restoration of Dr. Hough and the fellows of Magdalen college⁸⁵; the cities and boroughs recovered their

Makes concessions to his subjects.

Sept. 22.

Sept. 26

Sept. 28.

Sept. 30.

Oct. 2.

Oct. 3.

Oct. 5.

Oct. 19.

Oct. 17.

⁸³ Resolution des Etats du 14 Oct. D'Avaux, 14 18 Oct.

⁸⁴ Of these ten heads, the following were not immediately adopted. That he should recal all dispensations, should forbid catholics to teach schools, should inhibit the Romish bishops from farther invasion of episcopal jurisdiction, should fill the vacant bishoprics, and above

all should allow the prelates to offer to him such arguments, as might lead him back to the established church.

⁸⁵ As some delay took place, a report was circulated ascribing it to a change in the royal purpose, on account of the arrival of good news from Holland. Many from that moment refused to place any faith in the king's word:

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ancient privileges, and a general pardon was published with the exception by name of certain persons, almost all of whom were actually serving under the prince of Orange. These were concessions of great importance; particularly that which, by restoring the election of representatives to those persons in whom it formerly resided, took away the chief pretext set forward by William, the necessity of procuring a free parliament. A deputation from the citizens waited on the king to express their gratitude, and the recovery of the charter was celebrated with the usual demonstrations of public joy: the dukes of Somerset, Ormond, and Newcastle, the marquess of Winchester, the earls of Derby, Nottingham, and Danby, the bishop of London, and several others, either in person or by letter, assured him of their fidelity and services; and the prelates adopted a general form of prayer for the safety and prosperity of the royal family. His enemies, however, were careful to inform the people, that it was not to James but to the prince that they owed the benefit of these concessions, a benefit which would not be of long continuance, if it were left to depend on the pleasure of the king: it had been extorted from him by fear, it would be resumed on the return of confidence⁸⁶.

Augments his
forces.

3. At the same time James made every exertion to augment his naval and military force. He gave the command of the fleet, which consisted of thirty-seven men-of-war and seventeen fire-ships to the earl of Dartmouth, an old and trusty adherent, with instructions to station himself off the Gun-fleet, to watch

but James assured the archbishop that the delay was owing entirely to the negligence of the bishop of Winchester. (Clar. Corresp. ii. 493.) That such was the case, appears from Macpherson's Orig. Pap. i. 271—274. Sydney College was also restored. Jam. ii. 190.

⁸⁶ Gazette, 2384, et seq. Clarendon's Diary, 190. Bishop of Rochester's Second Letter, 30—44. Echard, 1113. Kennet, 489—491. Barillon, 4, 14, 18, 25, 28 Oct.; 1 Nov.

the motions of the enemy, and to aim chiefly at the destruction of the transports. The army, by the levy of new regiments and independent companies, and the arrival of six thousand five hundred men in detachments from Scotland and Ireland, was raised to the amount of forty thousand men⁸⁷. The command was taken by lord Feversham, the same who had opposed the duke of Monmouth, aided by his brother, the count de Roze, an officer of greater talent, and longer experience. The fleet was much inferior to that of the prince, but the king believed that he might rely with confidence on the devotion of the sailors: in military force he was plainly superior, but all acknowledged that the fidelity of both officers and men was very problematical.

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In the meanwhile it had been determined in the councils of William to rest the defence of the intended expedition on two grounds, the necessity of inquiring into the birth of the nominal prince of Wales, that the descent of the crown might be preserved in the royal family, and of procuring a free parliament that an end might be put to the dissension between the king and the people. With this view was published a long and bitter invective against James in the form of a memorial supposed to be presented by the protestants of England to the States, but composed under that name at the Hague by Dr. Burnet⁸⁸, who seems to have readily sacrificed the interests of truth to the pleasure of his patron and the gratification of his revenge. It begins with a copious enumeration of the liberties confirmed by law to the freemen of England, and of the instances in which they had been violated by the despotism of James. It

Pretended.
memorial to
the prince.

⁸⁷ On the 19th of August it consisted of thirteen regiments of cavalry and nineteen of infantry, or six thousand and fifty horse, and thirteen thousand four hundred and twenty foot. The regular force in Ireland amounted

to seven thousand and sixty, in Scotland to two thousand three hundred and sixteen men.

⁸⁸ Personne ne doute que ce ne soit le docteur Burnet qui n'ait rédigé ce mémoire. D'Avaux, 1 Nov.

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then maintains that the right of succession must for the sake of public tranquillity be placed beyond the reach of suspicion ; that it is the duty of the reigning prince to establish by convincing evidence the pregnancy of his wife and the birth of his children, not by the testimony of servants, or physicians, or men holding office at pleasure, but of persons interested in the succession, or individuals having nothing to hope or fear from the friendship or enmity of the monarch. This is prescribed by law, and reason and custom : where it is observed, no fraud can be practised ; where it is neglected, fraud may be inferred. It next strings together a multitude of circumstances regarding the birth of the prince, some real, many fictitious, which accord not with the preceding doctrine, and from them it draws a strong presumption that the queen's pregnancy was a pretence, and her delivery an imposture. In conclusion the supposed memorialists are made to pray that William would take under his protection the rights of the crown and of the people, and that he would not suffer the claim of his wife to be set aside without inquiry, nor the liberties of the nation to be sacrificed to popery and arbitrary power. So much importance was attached to this false and insidious publication, that the prince took with him eighty thousand copies to England⁸⁹.

Two declarations by the prince.
Oct. 1.

With this memorial were also printed two declarations, addressed in the name of the prince to the people of England and Scotland. Assuming that his interest in their welfare imposes on him the duty of protecting their civil and religious liberties, he describes the despotism under which they groan, the injuries offered to the protestant church, and his suspicion of imposture in the birth of the prince. To the Scots he declares his inten-

⁸⁹ Dumont, vii. par. 11. p. 179—198. D'Avaux, 28 Oct.

tion of establishing their rights and religion by parliament on so firm a basis that they may stand unimpaired for ever ; to the English that, if he come with an armed force, it is only for the protection of his own person ; that his object is to obtain a free parliament by the restoration of the ancient charters, and the re-appointment of the former magistrates, and then to refer to that parliament the inquiry into the legitimacy of the prince, the redress of grievances, the security of the protestant religion, the comprehension of dissenters within the pale of the church, and the protection and tranquillity of all other religionists, willing to live as good subjects in due obedience to the laws ⁹⁰.

But, besides the people of England and Scotland, there remained others, whom it was incumbent on him to persuade of the rectitude of his intentions, the catholic princes his allies, who might be provoked to withdraw from the confederacy, if they found that he abused the benefit of their friendship to undertake a crusade for the dethronement of a catholic sovereign on account of his religion. He wrote to the emperor and the king of Spain, informing them that his voyage to England was undertaken at the request of the English nobility, and for the purpose of effecting a reconciliation between the king and his subjects ; that he should take with him a small military force, both infantry and cavalry, but solely for the protection of his person ; that he had no intention of offering injury to the king or the rightful heirs, much less of advancing any claim to the throne, or of

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His letter to
the emperor
and king of
Spain.

Oct. 16.

⁹⁰ Dumont, *ibid.* 198—205. Several draughts of a declaration had been sent from England, out of which one was composed by Fagel, and afterwards amended by Burnet. Burnet, iii. 286. A fortnight later it was known that the king by his concessions had anticipated the demands of the prince, and on Oct. 14th, a postscript was

added, stating that James had not disclaimed his pretensions to arbitrary power, and would revoke these concessions whenever he dared : the only remedy was a declaration of the rights of the subject ; wherefore William would leave all things to the decision of a free parliament.

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occupying it himself ; that he hoped by establishing the rights and religion of the people on their former basis, to restore tranquillity, and enable the British nation to concur in the common cause of Christendom ; and that, in his attempt to effect this object, he would employ all his credit and authority to secure to the English catholics liberty of conscience, and freedom from persecution⁹¹.

Circular from
the States.

Such pretences might impose on the ignorance of monarchs living at a distance : but it required no small share of credulity in persons residing on the spot, with the evidence of such mighty preparations before their eyes, to believe that the prince confined his views to the disinterested task of mediating between James and his subjects : yet the States-General were seduced to give to the falsehood the sanction of their authority, and in a circular letter, transmitted to all the foreign envoys at the Hague, with the exception of d'Avaux and d'Albeville, they stated that a well grounded apprehension of the hostility of the king of England, should he succeed in trampling down the liberties of his people, had led them to assent to the request of the prince of Orange, and to lend him a few ships and men as auxiliaries, being assured that he had no design of invading the realm, or of dethroning his uncle, or of persecuting the catholics, but only of procuring a free parliament, in which liberty and religion might be secured by just and salutary laws⁹².

Oct. 18.

The force of
the expedi-
tion.

William had originally fixed on the first full moon after the equinox for the sailing of the expedition. Having reviewed the army near Nimeguen, he ordered one portion to fall down the river to Rotterdam, and the other to follow the course of the Yssel to Campen. The canals and rivers were immediately

⁹¹ Dalrymple, 255. Neg. du comte d'Avaux, vi. 157, vol. 147, Supplément à la Correspondence de M. d'Avaux.
⁹² Dumont, vii. part ii. 208.

covered with craft of every description, and boats carrying men, horses, arms, and ammunition poured from every outlet, and hastened to the two great divisions of the fleet in Zuider Zee, and the mouth of the Meuse. When these had united, they formed an armament worthy of the splendid prize to which the adventurer covertly aspired. Sixty men-of-war took under their protection seven hundred sail of transports: the force which he had collected, "solely for the protection of his person," amounted to four thousand five hundred cavalry and eleven thousand infantry; and an immense supply of military equipments revealed his expectation of a numerous reinforcement. He also took with him marshal Schomberg, the count of Nassau, the count of Solms, general Ginkle, and the best officers in the Dutch service; the earl of Macclesfield, Burnet, Peyton, Wildman, Ferguson, and the other British exiles; eight hundred French refugees, and the many Englishmen, who had recently come to join him in Holland. Of the latter the most distinguished were the earl of Shrewsbury, who, having raised 40,000*l.* on mortgage, had offered the money with his sword to the prince, lord Wiltshire and his brother, sons of the marquess of Winchester, the lord Eland, son to the marquess of Halifax, lord Dunblain, son to the earl of Danby, the lords Lorn and Mordaunt, and the two naval officers Herbert and Russell.

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It chanced, however, that a few days before the appointed time a strong wind arose, veered from south to west, and blew with such violence that the fleet, which had put to sea under the command of Herbert, was compelled to seek shelter at Helvoetsluys. The States ordered public prayers for more favourable weather; but though the churches were crowded with suplicants, heaven appeared deaf to their petitions. For

The prince
takes leave
of the States.
Sept. 28.

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Oct. 13.

Oct. 15.

more than a fortnight the storm continued to rage with the exception of a few short intermissions: by the soldiers and mariners its duration was deemed a proof of the divine displeasure; and to check the spread of this superstitious but dangerous alarm, it was found necessary to prohibit under severe penalties the use of ominous or discouraging language⁹³. At last the violence of the wind abated, and William took leave of the States in a solemn and public audience. He thanked them for their kindness to him from his childhood, and assured them of his gratitude. Their confidence in him at the present time was unbounded; and he prayed that God might blast all his projects if he did not make them an adequate return. He was departing on a foreign expedition, not to dispossess others of their rights, but to establish religion on a secure and permanent basis. Whatever might be his fate, he recommended the princess to their protection; and of this he prayed them to be assured, that if he fell, he should fall their servant, and if he lived, he would live their friend. The task of answering him was committed to his trusty adherent, the pensionary Fagel, whom age and infirmities had brought to the brink of the grave. The States, he replied (such confidence did they repose in the wisdom and patriotism of the prince), had placed their army, their navy, and their treasure in his hands; they had ordered a solemn fast to be observed through the seven provinces for the success of his arms; and they earnestly prayed that God would render him the deliverer and protector of the protestant faith. One thing only they begged of him in return, that he would not unnecessarily expose his person. The loss of him would be to them a greater calamity than the loss of both army and navy. At these words

⁹³ D'Avaux, 8, 11, 14, 15, 18, 19, 21, 22 Oct. *Negotiations*, vi. 142, 150.

the old man burst into tears, and his emotion impeded his utterance. On the spectators the scene made a deep impression : but the prince exhibited no change of countenance. His friends affected to admire his firmness and magnanimity ; others charged him with a selfish apathy, an indifference to every object except his own interest ⁹⁴.

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The fast day was celebrated at the Hague with extraordinary solemnity, and the service, of three long sermons, separated by prayers of equal duration, was protracted from ten and a half in the morning till half-past seven in the afternoon. During the whole time the princess attended in the great church, and bore without shrinking the gaze of an immense multitude. Her's, indeed, was a most singular situation. She could not pray for the success of her husband, without praying for the dethronement of her father. But, whatever passed within her breast, whether she looked with sorrow on the calamities which threatened her parent, or flattered her own vanity with the near prospect of a crown, she was able to disguise her feelings. Mary listened to the preachers, and joined in the prayers, with as much apparent tranquillity as if she alone had nothing to hope or fear from the result ⁹⁵.

A solemn
fast.
Oct. 17.

On the morning of the 19th of October the expedition sailed from Helvoetsluys, the men-of-war in three divisions forming a line out at sea, and the transports taking their allotted stations between that line and the shore. It blew a steady breeze from the south-west ; scarcely a cloud obscured the heavens ; and, as the fleet passed by Scheveling towards the

He sails and
is driven
back.
Oct. 19.

⁹⁴ D'Avaux, 28 Oct. *Negotiations*, vi. 153. Ellis *Correspondence*, ii. 251. Burnet, iii. 297.

⁹⁵ D'Avaux, *ibid.* The Spanish ambas-

sador ordered a solemn high mass to be performed in his chapel for the same object. *Ibid.*

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Oct. 20.

north, the whole population of the Hague rushed to the shore, to view the proud and animating spectacle. Little did William anticipate the contrast exhibited on the following day. It was his intention to proceed to a certain distance, and then alter his course for the coast of Yorkshire, where he was expected by the earl of Danby; but about ten in the evening the wind suddenly changed to the west, and by midnight the storm had dispersed the fleet in every direction. The next morning the prince regained his former anchorage with about sixty sail: of the others some rode out the tempest, while the rest sought shelter in the different roads and havens. When, however, the extent of the loss could be ascertained, it proved much less than had been expected. Only a few ships had foundered; but all were damaged, a thousand horses had perished through want of air, and an immense quantity of stores had been damaged or thrown overboard. William immediately solicited fresh supplies from the States; but refused to quit the fleet, urging the repairs by his own presence, and restraining by his authority the spirit of disaffection and mutiny, which began to manifest itself among the military ⁹⁶.

The king
proves the
birth of his
son.

This event afforded a new respite to James. Many of his friends had complained, many had even considered it as a proof of treachery in his advisers, that during the preceding period of suspense and suspicion, no care had been taken to interrupt the communication between the discontented in England and the prince in Holland. Even now that their object was openly avowed, that the individuals in the secret were pointed out by public report, they were neither molested

⁹⁶ D'Avaux, 1, 2, 4, 8, 9 Nov. See also
"An exact Diary of the Late Expedition by
a Minister, Chaplain in the Army. London,

1689." The minister's description of this
storm is sufficiently ludicrous.

nor restrained. In former times, on the first apprehension of the arrival of a foreign enemy, it had been the practice to require from suspected persons security for their loyalty, or to commit them to safe custody: but, in defiance of the strong remonstrances of Melfort, James was dissuaded from following the precedent by Sunderland, who maintained that such arrests would be productive of little benefit, and yet add considerably to the public discontent. The only precaution which the king condescended to take was one which cost his pride a severe struggle, but which he deemed necessary to refute the charge made in the pretended memorial of the English protestants, and to place the birth of his son beyond the reach of cavil in the event of his own death. By his order the privy council, the peers residing in the vicinity of the capital, the judges, the lord mayor and aldermen, and the law officers of the crown, were summoned to Whitehall; and before them he introduced, for the purpose of detailing the particulars of the queen's delivery, every person present on that occasion, namely, the queen dowager, two-and-twenty females, some of them menial servants, others ladies of the highest rank, and nineteen noblemen, gentlemen, and physicians. The depositions of all, with the exception of the queen dowager, were taken upon oath, confirmed by them the next day, and enrolled in Chancery; and form altogether a mass of evidence which it is impossible for any unprejudiced mind to resist⁹⁷. The enemies of the king, however, were not slow to object, that the person the most interested in the succession, the princess Anne, had not been present either at the delivery or at the investigation: but the

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⁹⁷ Barillon, 1, 11 Nov. "The several declarations, &c. made in council on Monday, Oct. 22, 1688, concerning the birth of the

prince of Wales." James, ii. 196—203. Clarendon's Diary, 196.

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fact is, that her absence on both occasions had been of her own choice: she had gone to Bath that she might not assist at the birth, and had refused to attend the council under the pretended fear of a miscarriage. On this account the council waited on her with a copy of the evidence, to whom she replied, "My lords, this was not necessary: the king's word is more to me than all these depositions:" and yet we are assured by her uncle, Clarendon, that she was at that very time in the daily habit of making the birth of her brother a subject of doubt and sarcasm⁹⁸.

Removes
Sunderland
from office.

This was the last measure which marked the administration of Sunderland. His reign, as well as that of his supporter, father Petre, was at an end. The charges of perfidy, formerly made against him, he had successfully rebutted by his protestations and reasoning; and by his open profession of the catholic faith on the birth of the prince, he had fixed himself more firmly than ever in the confidence of James, who believed that by this step the minister had bound up his own fortune with that of his sovereign⁹⁹. But his opponents continued to

⁹⁸ "Mad. la princesse de Danemark n'étoit pas à l'accouchement de la reine d'A. elle étoit encore aux bains. C'est une faute qu'on a faite en ce temps là de ne l'avoir pas empêchée d'y aller. Je sais qu'on lui a insinué de venir déposer de la grossesse de la reine, mais elle s'en est excusée sur ce qu'elle n'ose sortir de sa chambre de peur de se blesser, croyant elle même être grosse. Cette excuse est une affectation pour ne se point expliquer sur une matière si importante. La vérité est qu'elle favorise le parti du P. d'Orange, autant qu'elle l'ose faire, sans se déclarer ouvertement: et je sais que jusqu'à présent elle n'a pas dit un mot au roi, ou à la reine sur l'entreprise du P. d'Orange, quoiqu'ils en aient souvent parlé en sa présence." Barillon, 4 Nov. That Barillon was

correct is evident from the diary of Clarendon, in which we find that, as often as he wished to talk with her on public affairs, she evaded the subject. (Diary, Sep. 23, 27, 29; Oct. 21, 23.) As to her excuse of pregnancy, it was a falsehood, as her husband the prince George told Clarendon. "This startled me," he says; "good God, bless us! nothing but lying and dissimulation in the world." Diary, p. 216.

⁹⁹ Barillon, 8 Juillet. "Ce que vient de faire ce ministre donne un nouvel éclat à sa faveur, et augmente beaucoup, son crédit... il a voulu fermer la bouche à ses ennemis, et leur ôter tout prétexte de dire, qu'il put entrer quelque ménagement dans sa conduite pour le parti de M. le P. d'Orange." Ibid.

cherish the same suspicion of his fidelity, and the same objections to his policy; and they took advantage of this season of alarm to represent to the king that the counsels which had brought his throne into danger, originally emanated from Sunderland, and from Petre the dupe of Sunderland, from the one through considerations of interest, if not of treachery, from the other through credulity and religious zeal; that all their promises and predictions had been falsified by the course of events; that the presence of Petre at his councils still shocked the feelings of his protestant subjects, and that the confidence, which he reposed in a minister generally reputed a traitor, chilled the ardour, and paralyzed the efforts, of his most devoted adherents. Overcome by their importunity James declared that Petre should from that day cease to take his place at the board, and soon afterwards sent for the seals of office from Sunderland, not, he assured him, from any doubt of his loyalty, but through the necessity of complying with the demands of others. Petre obeyed, but still remained at Whitehall in his post of clerk of the closet; Sunderland withdrew to Windsor, apparently mortified at his disgrace, but probably consoling himself with the hope that what had caused his removal from the councils of the king, would operate as a proof of merit in the estimation of the prince¹⁰⁰.

To Sunderland, as secretary for the southern department succeeded the earl of Middleton, and to Middleton, as secretary for the northern department the lord Preston, both protestants, known to be strongly attached to the person of the king, and as warmly opposed to the reckless, headlong course which he had previously pursued. Their first advice was that he should

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Oct. 27.

Is refused the
aid of the
bishops

¹⁰⁰ Barillon, 6, 9 Nov. James, ii. 203, 204. See note (E).

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prepare an answer to William's declaration, and with that view should call upon the peers and prelates in the capital, to admit or deny the truth of the passage which stated, that the prince "had been invited to England by divers lords both spiritual and temporal." Among others Halifax, Nottingham, Clarendon, Pembroke, and Burlington declared on their honour that they were ignorant of any such invitation: and it is probable that they could make the assertion with truth; for, though all had corresponded with the prince, and though the two first were deeply engaged in his interest, yet none of them enjoyed the confidence of his more trusty associates. Of the prelates, the archbishop, with the bishops of Durham, Chester, and St. David's, returned an express denial; but the bishop of London, whose name is subscribed to the original invitation, replied in more evasive language, "I am confident the rest of the bishops will as readily answer in the negative as myself."¹ Whether the king noticed the subterfuge is uncertain: but it was his interest to take it in a favourable sense; and he requested to have the denial in writing, that he might send it for signature to the other prelates, adding that it would be well to add also their disapprobation of the expedition itself. This unexpected demand disconcerted them: they were not prepared; they asked time to consult together, and though James sought by messages to quicken their tardiness, did not return with their answer, before it was known that the Dutch fleet had passed the straits of Dover, and was actually steering down the Channel. Then they begged to be excused; but their reasons were too weak, too unsatisfactory to disguise their real motive, either a secret approbation of the design, or a fear of incurring the displeasure of the

¹ See Clar. Corresp. 11. App. 494, 503.

prince. James could not control his feelings. "If ever," says the bishop of Rochester, "in all my life I saw him more than ordinary vehement in speech, and transported in his expressions, it was on this occasion."²

William had again sailed from Helvoetsluys in pursuit of the English crown. By friends and foes it was believed that he intended to land on the coast of Yorkshire: but, having steered for twelve hours to the north, he changed his course, and availing himself of a favourable wind, passed without opposition the royal fleet in the Downs, and in two days reached Torbay, his real destination³. James was surprised and confounded: he had relied on the zeal and promptitude of lord Dartmouth, and was at a loss to account for the inactivity of that officer. But the same wind, which was favourable to the prince, was adverse to Dartmouth. His cruisers had been driven back by the violence of the gale; and his fleet, having been compelled to strike the yards and topmasts, rode at anchor abreast of the Long-sand, at the very time when the hostile armament passed at the distance of a few miles. Twenty-four hours elapsed before he could commence the pursuit, and from that he afterwards desisted on the representation of his officers, that to attack the Dutch, after the transports were safe in harbour, would expose the fleet to destruction in an unequal contest. By many of the royalists the tardiness of the admiral was attributed to disaffection or fear: but James, though doubts and misgivings harassed his mind, was too just to condemn an old

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The prince
arrives in
Torbay.
Nov. 1.

Nov. 3.

Nov. 5.

Nov. 9.

² See Clar. Diary, 199—201. Clar. Cor. 11. App. 493—504. Bishop of Rochester's Second Letter, 44—49. James (Memoirs), 210, 211. Macpherson, Papers, i. 276—279. The archbishop, however, sent an answer under his own hand "that he had never

invited the prince by word, writing, or otherwise, nor did he know, nor could he believe that any of the other bishops had done so." Ibid.

³ Exact Diary, 28—38. Burnet, iii. 309.

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friend without hearing his defence, and too prudent to hint suspicion, when that hint might provoke the very disloyalty, which he feared. He assured Dartmouth that he acquitted him of all blame: every seaman must be convinced that he had done as much as man could do in opposition to wind and weather; all that remained was for him to be constantly on the watch, and to avail himself of every advantage, which accident might offer⁴.

The king's
counsels.

To oppose the prince by land he resolved to collect his army in the neighbourhood of Salisbury. Louis by repeated messages had advised him to march in person, and to offer battle to the invaders, a measure which, by bringing the contest to an issue before the spirit of disaffection had spread among his troops, might perhaps have saved him his crown. The earl of Feversham and the count de Roze disapproved of this counsel, and urged him to occupy a situation, at a less distance from London, so that he might watch the motions of the enemy without losing sight of the capital⁵. On the other hand father Petre conjured him not to leave Westminster. This was the great error committed by his father, an error which cost him both his crown and his life. Let him look at the state of the metropolis: his presence did not prevent the populace from demolishing the catholic chapels: who then in his absence would answer for the lives of his wife and son? But Petre was thought to speak from interested motives—for the populace had repeatedly called for his blood—and James, adhering to his own opinion, ordered twenty battalions of infantry and thirty squadrons of cavalry to march towards Salisbury and Marl-

⁴ Dalrymple, 314, 315, 319—325. James (Memoirs), ii. 206—207.

⁵ They did not deem the English army equal to a contest with veteran soldiers. "On ignore ici jusqu'aux moindres règles

de la guerre: et hors quelques officiers qui ont servi en France et Hollande, le reste n'a pas les premières teintures du métier de la guerre. Barillon, 9 Dec.

borough. Six squadrons and six battalions were left behind to maintain tranquillity in the capital ⁶.

The prince, though he had been permitted to land without opposition, did not meet with the reception which he had been taught to expect. At his approach to Exeter the bishop and dean fled from the city; the clergy and corporation remained passive spectators of his entry; though the populace applauded, no addresses of congratulation, no public demonstrations of joy were made by the respectable citizens; the inhabitants of the county, who had not forgotten the terrible lesson taught them by Jeffreys, remained quiet at their homes, the canons refused to assist at the *Te Deum* ordered to be chaunted in the cathedral, and the very choristers, when Dr. Burnet began to read the declaration of the prince, withdrew from the church. Lord Lovelace indeed, who had visited him in Holland, and returned before him to England, had collected a body of sixty or one hundred horsemen, with the intention of joining the army at Exeter, but he was attacked, defeated, and taken prisoner by the militia near Cirencester. William was disappointed; he complained that he had been deceived and betrayed; he threatened to re-embark, and leave his recreant associates to the vengeance of their sovereign. Still, however, his hopes were kept alive by the successive arrivals of a few stragglers from a distance; in a short time they were raised almost to assurance of success by the perfidy of lord Cornbury, son to the earl of Clarendon ⁷.

Soon after the invitation sent to the prince, a secret association in his favour had been formed among the officers of the army encamped on Hounslow-heath, and a communication esta-

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Anxiety of
the prince.

Nov. 2.

Desertion of
lord Corn-
bury.

⁶ Barillon, 18, 22, 25 Nov.

⁷ James (Memoirs), ii. 215. Burnet, iii.

313. Exact Diary, 48. Ellis Correspond.

ii. 295.

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Nov. 10.

Nov. 12.

blished between them and the club at the Rose tavern in Covent-garden, of which lord Colchester was the chairman. That lord Churchill, who held the rank of lieutenant-general, was acquainted with their counsels, can hardly be doubted. On the arrival of the prince in Torbay he stationed at Salisbury three regiments of cavalry, commanded, in the absence of their colonels, by three of the "associated" officers. Of these Cornbury was the senior; and he, having arranged the plan with his accomplices, and ordered the whole division to march at an early hour in the morning, led them by a circuitous and unfrequented route to Axminster, near the advanced posts of the invading army. After a day's repose, the men were ordered to remount for the purpose of beating up the quarters of the enemy at Honiton during the night. But hints of the design had been whispered; Cornbury was requested to exhibit his orders; and on his refusal was so terrified by the threats of the loyal officers, that he stole away and escaped to the enemy, while his regiment, and that of the duke of Berwick, with the exception of thirty troopers, marched back to Salisbury. The third regiment, belonging to the duke of St. Alban's, had mustered at a distance; and the men, ignorant of this transaction, followed colonel Langston to Honiton, where they were received as friends by general Talmash at the head of a considerable force, and asked to enter into the service of the prince. Most of the officers and one hundred and fifty privates consented: the rest were made prisoners, but afterwards discharged⁸.

⁸ This transaction is related with some trifling variations by major Norton in Macpherson's Papers (i. 289—296), by James himself in his Memoirs (ii. 215), and by Barillon in his despatches of Nov. 25, 26,

and Dec. 1. "O God!" exclaims Clarendon in his Diary, "that my son should be a rebel! The Lord in his mercy look upon me, and enable me to support myself under this most grievous calamity." He waited on

To James the loss in number of men was inconsiderable, and might speedily be repaired: there was even much to encourage him in the spirit of loyalty displayed by the majority of the officers and privates; but the example was productive of the most disastrous consequences. It spread doubt and distrust through the army, no man daring to rely on the fidelity of his companion; it shook the loyalty of the wavering, and it weakened or dissolved the only tie which had hitherto restrained many, the disgrace of being the first to desert the royal colours. The report soon reached every corner of the kingdom: it was said that three regiments, then that several entire corps, had gone over to the enemy, and that the whole army was actuated by the same spirit of disaffection: the friends of the prince, relieved from their terrors, began to exert themselves in his favour; and the earl of Danby, with the lord Lumley, called together their associates and dependents in Yorkshire, the lords Delamere and Brandon imitated him in Cheshire, and the earl of Devonshire raised the standard of insurrection in the midland counties.

On the other hand the king's advisers, in despair of success, conjured him to seek an accommodation with his nephew, and to prevent at any price the total subversion of his throne. But James refused to see what was evident to all besides himself: he still believed in the loyalty of the army, and was confirmed in this confidence by the number of those who had returned to their colours out of the three regiments⁹. In a military council

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Its consequences.

The king holds a council of war.

Nov. 16.

James the next day. "God knows," he says, "I was in confusion enough. The king was very gracious to me, and said he pitied me with all his heart, and that he would still be kind to my family." Many, however, did not think of him as favourably

as James. "Myl. Clarendon, son père, parle de lui comme d'un traître et d'un infame: mais peu de gens croyent qu'il ait osé faire de son chef ce qu'il a fait, sans la participation de son père." Barillon, 26 Dec.

⁹ Barillon, 25 Nov.

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at Whitehall he informed the members that he had taken measures for the calling of a parliament as early as was possible, with the intention of making every concession that might be demanded; that he could not believe there were many Cornburys among such honourable men; but if any one felt an objection to his service, he would spare him the infamy of so foul a desertion, and give him full liberty at that moment to leave the army, and to go wherever he pleased. They replied with protestations of the warmest attachment, and declarations of their readiness to shed their blood in his cause. It was observed that the duke of Grafton and the lord Churchill were the first to answer in this manner; and yet there is reason to believe that with such expressions of loyalty on their lips they at that very moment meditated treachery in their hearts¹⁰.

Receives a
deputation
from the
lords.
Nov. 17.

The next day, a few minutes before the king's departure, the archbishops of Canterbury and York¹¹, with the bishops of Rochester and Ely, solicited an audience, and delivered to him a written address, subscribed by themselves, the dukes of Grafton and Ormond, the earls of Dorset, Clare, Rochester, Clarendon, Anglesey, and Burlington, viscount Newport, and the lords Paget, Chandos, and Ossulston. It humbly but earnestly requested the king to summon a free and legal parliament without delay, as the only expedient which in their opinion could preserve the nation from the calamities with which it was threatened. James replied with strong emotion, "What you ask is what I passionately desire. I promise on the word of a king to call a legal parliament the moment the

¹⁰ James (Memoirs), ii. 219. Orleans, 311. If we may believe Hewit, one of the supposed conspirators, Grafton and Churchill met their associates that very night to con-

sult on the manner of betraying the king into the hands of the prince.

¹¹ Dr. Lamplugh, whom James for his loyalty had just translated from Exeter to York.

prince of Orange shall depart. But how can you have a free parliament now, that a foreign prince, at the head of a foreign force, has it in his power to return one hundred members¹² ? ”

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James proceeded to the army, reviewed that portion of it which lay at Salisbury, and appointed the next day for the inspection of the division at Warminster under general Kirk. But he was prevented from executing this design by a profuse bleeding at the nose, which recurred at intervals on that and the following days; and procured him relief from some very alarming symptoms, the consequences of intense application and mental distress. During this short indisposition the count de Roze repeated his arguments against the advance of the army. The enemy were already at Wincanton: the royal artillery had not arrived; the positions of Salisbury and Warminster were untenable; and it was better to withdraw of his own free choice, than to incur the disgrace of a forced, and perhaps a disastrous, retreat. James still listened to him with reluctance: but his consent was extorted by information that, had he pursued his intention of inspecting the corps at Warminster, he would have been seized, and conveyed a prisoner to the enemy's quarters. The persons charged with this conspiracy were of high rank in the army, the lord Churchill, major-general Kirk, colonel Trelawney, and some others. James deemed it imprudent to take them into custody, or even to betray his information of the plot. He summoned them to a military council, in which he proposed the question of a retreat beyond the Thames. It was supported by Feversham,

Escapes a
conspiracy
at the camp.
Nov. 20.

Dec. 22.

¹² Echard, 1123. Ellis Correspondence, ii. 301. Barillon, 27 Nov. See an account of this petition, which originated with the bishops, and which the duke of Norfolk, the

marquess of Halifax, and the earls of Oxford and Nottingham, refused to sanction with their signatures, in Clarendon's Diary, 201—203, 210.

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Desertion of
Grafton and
Churchill.
Dec. 23.

Dunbarton, and Roze, but warmly opposed by Churchill, who strongly urged the king to resume his design of visiting the post at Warminster. But James adhered to the resolution which he had previously taken, the council broke up at midnight, and immediately the duke of Grafton and Churchill went over to the enemy. They were followed in the morning by the colonels Trelawney, Churchill, Barclay, and about twenty privates. Kirk was arrested on suspicion by lord Feversham: but he declared that though he had been unfortunate in the selection of his friends, he was incapable of imitating their baseness, and the king, who perhaps believed his assertion, ordered him to be set at liberty. The deserters were graciously received by the prince, with the exception of Churchill, who heard from Schomberg the severe remark, that he was the first man of the rank of lieutenant-general who had been known to run away from his colours¹³.

¹³ James (Mem.), ii. 222, 223, 224, 225. Baril. 1, 4, 6, 9 Dec. Burnet, iii. 316. That James believed in the existence of the plot to carry him off is twice asserted by Barillon, but we have no knowledge on what authority that belief was founded. Macpherson has published from Carte's papers several accounts tending to prove that on the 16th of November, after the council of war, a meeting was held at the lodgings of Mr. Hatton Compton, in St. Alban's-street, in which it was determined not only to seize the king, but to put him to death if any attempt were made to rescue him. For this purpose Wood and Hewit (afterwards lord Hewit, the supposed relator) were to discharge their pistols into the carriage, and Churchill, who would attend as lord in waiting, was to complete the business. (Macpher. i. 280—284.) It must be owned that these papers bear not sufficient proof of authenticity to establish so grave an accusation. But with respect to Churchill's previous engagements to the prince of Orange, there is a letter from him

to William of the date of May 17, 1687, to satisfy him that "the princess of Denmark is safe in the trusting of him (Churchill)." Dalrymple, 191. And another of Aug. 4, 1688, in which he "puts his honour into the hands of his royal highness." (239.) Bonrepaus, on June 4, 1687, says that Anne aime avec une passion demesurée madame Churchill, and that the king is persuaded that the prince of Orange avoit gagné madame Churchill pour persuader à cette princesse d'aller en Hollande. On the 21st of July, he adds, myl. Churchill, aimé et comblé de bienfaits du roi son maître, se ménage plus qu'aucun pour le P. d'Orange. That he promised to desert to the prince soon after the landing of the latter appears from Norton's narrative (Ibid. 293), and the letter of the princess Anne to William of Nov. 18. (Dalrymple, 333.) On the 21st Barillon writes to his sovereign that some of the superior officers, particularly Churchill, Grafton, Kirk, and Fenwick, appear discontent, and make use of discouraging language.

The king, having ordered the infantry to repass the Thames and guard the bridges over the river, and having posted the cavalry under lord Feversham at Reading to consume the forage in the neighbourhood, commenced his journey towards London. He stopped the first evening at Andover, and invited his son-in-law, prince George of Denmark, to sup with him. Six days before, the princess Anne had pledged her word to William for the desertion of her husband: but George indulged in habits of indolence, and lost the opportunity offered him at the departure of his Mentor, lord Churchill. He had, however, friends more active than himself: horses were already in waiting for him, when he left the royal table; he mounted with the duke of Ormond, the lord Drumlanrig, and Mr. Boyle; and all four rode about midnight towards the nearest quarters of the enemy. The king received the news with an air of indifference. "What," said he, "is *est il possible* gone? Were he not my son-in-law, a single trooper would have been a greater loss." His defection, however, awakened uneasy thoughts in the royal breast: was the princess acquainted with the design, or could she intend to follow the example of her husband? James, indeed, hoped much from her filial piety, much from her gratitude—for he had always been to her a most indulgent parent, and had never molested her, never addressed a single word to her, on the subject of religion—yet aware of the influence which the Churchills exercised over her mind, he despatched an order to lord Middleton, to watch her motions, and to prevent her from quitting Whitehall: an order which the secretary through forgetfulness or incredulity, made no haste to enforce¹⁴.

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Of prince
George.
Nov. 24.

He adds, "s'ils ne sont pas capables d'une trahison, on voit bien qu'ils ne combatteront pas de bon cœur, et toute l'armée le sait.

Cela met les affaires du roi d'A. dans un grand peril."

¹⁴ James (Memoirs), ii. 224. Barillon,

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And of the
princess
Anne.

Nov. 25.

Anne, the moment she heard of the evasion of the prince, sent for the bishop of London, to arrange with him a plan for her own escape. After the family had retired to rest, she left her bed-chamber with lady Churchill and Mrs. Berkeley, descended a back-staircase, which had recently been put up for that very purpose, and found waiting at the gate a carriage, in which were the bishop and the earl of Dorset. She passed the night at the prelate's house in Aldersgate-street, hastened in the morning to Copt Hall, the seat of the earl, and proceeded thence to a meeting of the prince's adherents at Northampton. At Whitehall, the moment her absence was discovered, her domestics hastened to the queen's apartment, and clamorously demanded their mistress, while a crowd assembled in the street, vociferating that she had been murdered or carried away by the papists. In a short time the fact of her escape was known, and the tumult subsided. Soon afterwards the king arrived. On the receipt of the intelligence he burst into tears, and exclaimed, "God help me! my very children have forsaken me!"¹⁵

The king's
cause is des-
perate.

In the opinion of every man the royal cause was now hopeless. Dartmouth had written that he would answer for his own loyalty, but not for that of the fleet under his command; the Scottish guards, the corps on whose fidelity the king placed the firmest reliance, had expressed a reluctance to draw their swords against his opponents; Newcastle, York, Hull, Bristol, and Plymouth had been seized by the partisans of the prince, and numerous meetings had been held in York, Derby, and Not-

5, 9 Dec. Clar. Corresp. ii. 208. Prince George was called "est il possible" from his constant habit of using those words. Le prince George, says Bonrepaus, ne se mêle de rien. Il n'est non plus fait mention de lui, que s'il n'était point au monde. Bonrep. 4 Juin, 1687. Both the prince and Churchill

wrote to the king an apology for their desertion. See Kennet, 498.

¹⁵ Clarendon's Diary, 207, 214, 216. Barillon, 6, 9 Dec. Lord Dorchester in notes to Burnet, ii. 318. Duchess of Marlborough's Apology, 10. James (Memoirs) ii. 226.

tingham, where resolutions had been carried in favour of a free parliament, and the support of the protestant religion. But the language of these resolutions was more alarming to the king than their purport. "We own," said the declaration from Nottingham, "that it is rebellion to resist our king that governs by law, but *he* was always accounted a tyrant that made *his* will the law. To resist such an one, we justly esteem it no rebellion, but a necessary defence." In this extremity he consulted his confidential advisers. One resolution he had taken, to provide in the first place for the safety of the queen and his son : for he had persuaded himself, from the past conduct of his opponents and more recent advices, that they deemed it of the first importance to take the life of the young prince¹⁶. The next question was, should *he* also withdraw, or keep his post to the last. The earl of Melfort, and several other catholics advised him to flee : were he out of the kingdom, his person would be safe ; he would still retain all his rights ; and the opportunity of recovering the crown would not be wanting to him, any more than it had to his predecessors in similar circumstances. But the lord Belasyse with the two secretaries, and the lords Halifax and Godolphin earnestly advised him to remain. He had only to assent to the securities, which would be demanded for the laws and religion of the country, and his person would be safe. His subjects, many of whom began to suspect the ambitious designs of the prince, would rally around the throne, and defend the monarch from violence. James himself, though he saw no

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He resolves
to send away
his son.

¹⁶ "Tis my son they aim at, and tis my son I must endeavour to preserve." Dalrym. 326. Petre had advised this from the first landing of William, because the sending of the young prince to France feroit penser aux Anglais le plus sensés qu'ils s'engagent dans

une guerre, qui peut durer pendant plusieurs générations, quand même le véritable héritier, et celui qui a le droit, seroit dépossédé. Barillon, 25 Nov. Lord Melfort also claimed the merit of having given this advice. Macpherson, Papers, ii. 674.

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prospect of success, felt ashamed to quit the crown without once drawing the sword ; and sometimes amused his desponding mind with dreams of victories to be gained in Scotland with the aid of the duke of Hamilton, or in Ireland at the head of the army formed by the earl of Tyrconnel¹⁷.

Summons a
great council.

Nov. 28.

It was, however, necessary that he should put on a cheerful countenance, were it only to gain time for the escape of the infant prince. At his summons a great council of peers, forty in number, and all protestants, assembled at Whitehall. They spoke to him with freedom ; but it was observed, that Clarendon transgressed the bounds of decency, and employed language unfeeling and insulting. The sum of their advice, though they were far from being unanimous, was that, besides calling a parliament, the king should grant a pardon without any exceptions, should appoint commissioners to treat of an accommodation, and should immediately dismiss every catholic from his service. James assured them that he was not offended with any man on account of his freedom ; that he certainly meant to call a parliament, but that some of their suggestions were of such importance, that no one could wonder, if he took a single night to deliberate. He was convinced that, though many had deserted him, many still remained to stand by him. Accident had saved him from the treachery of Churchill ; and, as he had read the history of Richard II. he would take sufficient care not to fall into the hands of a nephew, who sought to place the crown on his own head¹⁸.

And a parliament.
Nov. 30.

In a few days a proclamation appeared, stating that the king had ordered writs to be issued for the meeting of a parliament

¹⁷ Barillon, 11, 13 Dec.

¹⁸ Clarendon's Diary, 209—211. Barillon,

9 Dec. James (Memoirs), ii. 238. Burnet, iii. 322.

at the shortest date, the 15th of January ; a pardon for all previous offences to be passed under the great seal ; and commissioners to proceed immediately to the head quarters of the prince of Orange, but that, with respect to the dismissal of catholics from office, he would leave that question to the wisdom and decision of parliament. The fact was that he felt unwilling to deprive himself of their services before he had secured the retreat of his wife and son ; but, to satisfy the citizens, he removed sir Edward Hales from the command of the Tower, and substituted for him Skelton, whom he had so lately confined in that fortress¹⁹.

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Lord Dover had been appointed to the government of Portsmouth. In a few days the prince of Wales arrived in that town under the care of lord and lady Powis ; a yacht was ready to take him on board ; and lord Dartmouth, whose fleet lay at Spithead, received instructions to watch over his safety, and to facilitate his escape. But the very presence of the prince betrayed the royal secret ; and a body of “ associated ” officers represented to the admiral, the charge to which he would expose himself, and the evil which might befall the nation, if he should suffer the heir apparent to quit the kingdom. By this time at least, Dartmouth partook of that spirit of consternation, which pervaded all ranks of the royalists, and he returned an answer to the king conjuring him to recede from his intention, and excusing in humble and affectionate language his own disobedience. The unfortunate monarch had little time for deliberation ; the delay of a few hours might place his son in the power of his enemies ; and he sent orders for three regiments to escort him in his return to

The young
prince
brought from
Portsmouth.
Dec. 1.

Dec. 3.

Dec. 6.

¹⁹ James (Memoirs), ii. 237. Barillon, 9 Dec. Clarendon, Diary, 208.

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IX. ments with the count de Lauzun for his escape down the
A. D. 1688. river ²⁰.

King de-
termines to
leave the
kingdom.

Dec. 3.

Dec. 6.

In the meantime much had occurred to persuade the king, that there remained no other chance of safety for himself, but the same which he had chosen for his son. In accordance with the advice of the great council he had sent three commissioners to the prince, the lords Halifax, Nottingham, and Godolphin : but William under different pretexts evaded the audience which they solicited, and at the same time urged forward the march of his army towards the capital. This was sufficiently discouraging : but in addition there appeared in London many copies of a proclamation lately issued under his signature, declaring all papists bearing arms, or having arms in their houses, or executing any office contrary to law, robbers, freebooters, banditti, and incapable of receiving quarter ; calling on all magistrates, under the penalty of answering for the protestant blood that might be spilt, and the protestant property that might be destroyed through their negligence or apathy, to disarm all papists, and to execute these orders with rigour ; because London and Westminster were threatened with conflagration, and their inhabitants with massacre from the crowds of armed papists, who had collected there to execute the design of the French king, who had leagued himself with a neighbouring prince of the same communion, to extirpate protestantism out of Europe. This instrument was afterwards disowned by William, and some years later Speke the libeller came forward to claim the merit or infamy of the imposture :

²⁰ Dalrymple, 326—330. James (Memoirs), ii. 233—237. Barillon, 11, 13, 15, 16, 18 Dec.

but at the time of publication no one doubted its authenticity ; and the spirit of vengeance which it breathed, with the tone of authority which it assumed, strongly served to confirm the jealousies and apprehensions, which agitated the mind of the king. He drew from it the inference that it was intended to deprive him of every individual in whom he could repose any confidence, to place him gagged and bound in the hands of his enemies ; and of the fate he might expect in such circumstances he had before his eyes a pregnant instance in the eventful history of his father ²¹.

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The queen had hitherto refused to separate her lot from that of her husband ; but now that he had made up his mind to leave the kingdom, and that he solemnly promised to follow her within twenty-four hours, she consented to accompany her child. The time for their escape was fixed at two after midnight. Disguised as an Italian lady, with a female Italian servant, and the nurse carrying the infant, she stole silently down the privy stairs to the water side, and, though the night was dark and stormy, stepped intrepidly into a small open boat, crossed the river, and landed on the opposite bank at Lambeth. But the carriage, which had been ordered, was not there ; the rain fell in torrents ; and the royal fugitive was compelled to wait under the shelter of a high wall, exposed to the danger of discovery from the cry of the child, and the accidental curiosity of the inhabitants. At length they were enabled to depart, and drove to Gravesend, where a yacht with lord and lady Powis and three Irish officers on board, was ready to receive them, and conveyed them in safety to Calais. St. Victor, a

Queen
escapes with
her child.

Dec. 10.

²¹ See the proclamation in Echard, 1127. Also Barillon, 16 Dec. James (Memoirs), ii. 249 ; and Burnet, iii. 321.

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James re-
ceives report
from his com-
missioners.

French gentleman, saw the exiles depart, and hastened back with the consoling information to the monarch²².

James had passed the early part of the morning in considerable agitation: the return of St. Victor enabled him to assume a more cheerful air, he ordered the guards to be in readiness to accompany him to Uxbridge the next day, and talked of offering battle to the enemy, though at the same time he confessed to Barillon, that he had not a single corps, on whose fidelity he could rely. Up to this moment he remained in ignorance of the progress of the negociation; in the evening a messenger from his commissioners, brought him an account of their proceedings²³. On the sixth day after their departure from London, they had been introduced to the presence of William, who stated, in allusion to one part of the royal proclamation, that he would never admit of any pardon for his followers, because the admission of pardon supposed the pre-existence of guilt; and that he had named to confer with them as commissioners on his side the marshal Schomberg, and the earls of Oxford and Clarendon. The reader will probably start at the name of Clarendon. Yet so it was: the very man who but a month before so feelingly lamented the defection of his son, was now found at the head quarters, and acting as the confidential agent of the prince. In fact, he had imprudently persuaded himself that these conferences would lead to the formation of a new ministry, in which, if he were not wanting to his own interest, he might hold a distinguished place. With this view he had hastened from London to pay his worship to the rising sun: but a few days convinced him of his mistake. He

Dec. 8.

²² James, ii. 246. Barillon, 20 Dec. Orleans, 315. Note (F.)

²³ Barillon, 20, 22 Dec. James (Memoirs ii, 249.

saw that William's ambition would be satisfied with nothing short of the crown, a change of dynasty, which he was not prepared to support ²⁴.

The royal commissioners being requested to state their demands in writing, observed that, as the king had already done all that the prince required, by calling a parliament, nothing remained but to adjust the preliminaries necessary for the freedom of elections, and the security of the two houses; for which object they proposed that both armies should be restrained from coming within a certain distance of the capital. William referred their paper to the consideration of his English followers, whose opinions he affected to follow, though they had hitherto been dictated by himself. On this occasion a warm altercation arose. They insisted that James should be obliged to recal the writs which had been issued for the election of representatives. He replied, "We may drive away the king, but how can we procure a legal parliament without the writs?" They were not persuaded: the article was included in the conditions, and he ordered it to be erased. In the morning they replaced it, but he again insisted that it should be expunged ²⁵. The answer which was at last returned required that each army should remain at the distance of forty miles from the capital, that all papists should be dismissed from office, that all proclamations reflecting on the prince or his followers should be recalled, that the invading army should be supported at the public expense, that the king and the prince should reside in London, or at an equal distance from London, with the same

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The answer
given by the
prince.

Dec. 9.

²⁴ Clarendon's Diary, 212—220.

²⁵ The majority feared that, if the writs were not revoked, the elections would take place while they remained with the army,

and that other persons would be returned as representatives in their absence. Clar. Diary, 221, 223.

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number of guards, and that the Tower and the fort at Tilbury should be placed in the custody of the city, and Portsmouth in that of such person as should be agreeable to both parties. To adjust these particulars William offered not to advance within forty miles of the capital during the four following days, an offer which, while it bore the appearance of moderation, was equally convenient for himself²⁶.

The king
quits his
palace in the
night.
Dec. 10.

Though these conditions were more favourable than the king expected, they did not induce him to alter his resolution. The observation of the commissioners that "there appeared a possibility of putting matters into a way of accommodation," was not calculated to excite any very sanguine hopes; their private letters were still more discouraging than their public despatches; and to James it seemed plain from a review of all the proceedings, that it was the object of his nephew to effect his deposition by a legal parliament of his own calling. Before he retired to rest he delivered to the count de Roze a letter for lord Feversham, announcing his intention of providing for his own safety by withdrawing from the kingdom, thanking him and the officers and privates for their past loyalty, and remarking that he no longer expected them to expose themselves to danger by "resistance to a foreign army and a poisoned nation²⁷." Then, having received from the lord chancellor all the parliamentary writs which had not hitherto been issued, he threw them with his own hands into the fire, to disappoint by their destruction one great object of his enemies²⁸.

²⁶ James, ii. 240. Kennet, 501.

²⁷ James, ii. 249. Kennet, 500. Lord Godolphin wrote to advise him to withdraw. Lord Dartmouth's note to Burnet, iii. 327. Lord Halifax is also said to have written that the party of the prince had "an ill design"

against the king's person. Reresby, 311. See also d'Orleans, 314.

²⁸ James (Memoirs), ii. 251. The writs had been issued for fifteen counties only. Barillon, 27 Dec.

Soon after midnight he rose, disguised himself in the dress of a country gentleman, and ordered the duke of Northumberland, who slept on the pallet-bed, to keep the door locked till the usual hour in the morning. Descending the back stairs, he was joined by sir Edward Hales, whom in his exile he created earl of Tenterden: a hackney coach conveyed them to the horseferry; and as they crossed the river with a pair of oars the king threw the great seal into the water. At Vauxhall they found horses in readiness, and with the aid of a relay provided by Sheldon, one of the royal equerries, reached Emley ferry, near Faversham, by ten. The custom-house hoy had been engaged to convey two strangers to France; but, the ship wanting ballast, they were forced to run her on shore near Sheerness: where about eleven at night they were boarded from three boats, cruising in the mouth of the river to intercept the fugitive royalists. The hoy floating with the tide was taken back to Faversham; and the king, having remained for several hours in the hands of his captors, was compelled to land and proceed to the principal inn. There he saw that, notwithstanding his disguise, he was recognised by several persons in the crowd, of whom one, bursting into tears, knelt to kiss his hand; and, as the secret had now transpired, he acknowledged himself, sent for lord Winchelsea, whom he appointed lord lieutenant of the county, and was at his own request transferred from the inn to the house of the mayor, under a strong guard of the seamen and militia ²⁹.

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Dec. 11.

Is apprehended at
Faversham.

Dec. 12.

²⁹ James, *ibid.* 251—254. App. vi. Barillon, 24 Dec. Burnet, iii 326. It has often been said that James was induced to escape to France by the advice of Barillon. The despatches of that envoy show on the contrary that James did not consult him, nor give him any opportunity of interfering with

his opinion. Barillon, however, conceiving that it might prove injurious to the interest of France if James were to quit his dominions, solicited from Louis an order to advise him to remain. But the monarch was more generous than his minister. He refused: “plus je desire de l’aider à sortir de l’embarras où il

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The royal
army dis-
banded.

Lord Feversham, as soon as he received the king's letter, ordered it to be read to the different regiments, announced to them the expiration of his command, and informed the prince of what he had done. Many of the officers and men received the intelligence with tears, and, conceiving themselves at liberty, withdrew to their respective homes. But William was offended; nor did he fail on the first opportunity to make lord Feversham feel the effect of his resentment. He complained that, by suffering the men to disband themselves, that officer had endangered the tranquillity of the country: but the true reason was believed to be, that he had intended to incorporate the royal army with his own, and to employ it for the purposes which he meditated³⁰.

Council of
peers in
London.

In London the news of the king's flight created surprise and consternation. About thirty spiritual and temporal peers joined the lord mayor and aldermen at the Guildhall, and, after some consultation, forming themselves into a separate council, assumed for a time the supreme authority. They published and sent to the prince a declaration of their adhesion to him in his endeavour to uphold the religion and liberties of the country by procuring a free parliament; a declaration which, as it did not come up to his expectations, was received by him with evident marks of dissatisfaction, while a most gracious reception was given to the deputies from the common council and the city, who begged of him to hasten his march to the

Dec. 13.

est, et de lui témoigner dans une conjoncture si périlleuse la sincérité de mon amitié pour sa personne, et de mon empressement pour tout ce qui le regarde, plus je vois qu'il faut laisser à sa prudence et à la connoissance qu'il a de la disposition de son royaume, à prendre les résolutions qu'il croira lui être les plus convenables. . . . Vous pouvez l'assurer que

s'il envoie la reine et le prince de Galles dans mes états, ils y seront reçus avec toute la considération que demande leur rang, et qu'il peut toujours faire un fondement certain sur mon amitié." Louis XIV. à Barillon, 20 Dec.

³⁰ James, ii. 249—251. Barillon, 22 Dec.

capital for the completion of the great work which he had so gloriously begun³¹. In addition, the lords, to calm the fears of the citizens, took advantage of the absence of Skelton from the Tower, to transfer the government of that fortress to the care of lord Lucas, whose company formed part of the garrison, and they issued circular orders to the naval and military officers to watch over the preservation of discipline in the fleet and army. But the great difficulty was to maintain tranquillity in London and Westminster, where their ephemeral authority, though respected by the higher classes, was set at nought by the passions of the people, authorised, as they supposed themselves to be, by the recent proclamation of the prince.

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A. D. 1688.

Large bodies of men collected in the streets, and, under pretence of searching for arms, burst into the houses of the catholics, whence, if they did not proceed to the demolition of the buildings, they carried off every thing that was valuable. The office of Hills, the king's printer, was laid in ruins, and its contents given to the flames; the several catholic chapels were either destroyed or burnt; and the ambassadors of the catholic powers were insulted or threatened. Ronquillo, the ambassador from Spain, trusted to his popularity (for his constant support of the prince had made him a public favourite): but the plate of the royal chapel and of several catholic families, which had been committed to his custody, offered too powerful a temptation; and his doors were forced, his house and chapel were rifled, and whatever the rioters could not carry away was burnt, together with his library and manuscripts. Of the other ambassadors the Florentine experienced the same treatment; but those from France and Venice applied to the council, and obtained for their protection

Proceedings
of the mob.

³¹ Clarendon, Diary, 224. Barillon, 22 Dec.

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Alarm in the
night.

Dec. 13.

strong detachments of military, who repelled with difficulty the repeated assaults of the populace ³².

On the second night the citizens were awakened from their sleep by a sudden cry of "The Irish are up and cutting throats:" and the same terrifying denunciation was simultaneously echoed from every part of the metropolis. Lights were instantly placed in the windows, a hundred thousand men rushed into the streets; parties proceeded in different directions to oppose the imaginary foes; and, though the murderers could nowhere be discovered, still the report obtained credence, and the terrors of the citizens were protracted till the return of daylight gradually dispelled the delusion. At the same time a similar alarm was excited in most of the neighbouring towns, but it failed of provoking, what it probably was meant to provoke, a massacre of the catholics. Speke took to himself the merit also of this dangerous contrivance ³³.

Arrests.

The mob repeatedly called for the blood of father Petre. But he had disappointed their vengeance by retiring beyond the sea about ten days before: and his example had been imitated by lord Melfort, the Scottish secretary. As soon as the flight of James became known, numbers, apprehensive of the consequences, attempted to follow him; and the roads

³² James (Memoirs), ii. 256. Echard, 1130. Barillon, 22, 24 Dec. Ellis Cor. ii. 347, 350. Buckingham, ii. xv. The king, on account of some riotous assemblages, had ordered all the catholic chapels to be shut up as early as Nov. 9. Barillon, 19 Nov.

³³ James, ii. 258. Ellis Corresp. ii. 356. Barillon, 23 Dec. Echard, 1131. Perhaps he might claim also that of a similar fraud in Ireland. On the 7th of Dec. lord Mount-Alexander received an anonymous letter, stating that the 9th was fixed for the general massacre of the protestants. From his seat

in the county of Down he despatched copies of this letter into all quarters of the island. Wherever it arrived the utmost consternation prevailed. Congregations rushed out of the churches during the service to provide for their safety; multitudes migrated from the interior to the sea coast, to procure a passage to England, and on the night of the 9th three thousand individuals in Dublin fled from their beds, and took refuge on board the ships in the harbour. See Secret Consults, 137—140.

towards the sea coast were covered with fugitives endeavouring to escape, and with persons on the watch to arrest every stranger proceeding in that direction. Even during the short stay of the royal captive at Faversham, Mr. Justice Jenner, Burton and Graham, the king's solicitors, Giffard and Leyburn, two of the vicars apostolic, Obadiah Walker and several others were brought prisoners into the town. The nuncio had placed himself as a servant behind the carriage of the envoy from Savoy : but that minister with his suite was intercepted and detained, till William, who sought not to offend his catholic allies, furnished him with a passport. The lord chancellor Jeffreys was discovered at Wapping in a strange disguise. A party of the trained bands rescued him from the fury of the mob : but they still pursued him with whips and halters, and, as the lord mayor was too much alarmed to take his examination, he was at his own desire conducted for safety to the Tower. The lords in council soon afterwards sent a warrant for his detention, and in the course of a few months he died of the stone without having been discharged from confinement³⁴. Penn was also brought before them, and gave security for his appearance in 6,000*l*.³⁵

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On the third morning a rumour was heard of the king's arrestation in his flight. It obtained no credit ; but a countryman, standing at the door of the council-chamber at Whitehall, put into the hands of lord Mulgrave a letter from James, which bore no address, but stated that the writer was a prisoner in the hands of the rabble at Faversham. Most of the lords, afraid of offending the prince, would gladly have passed it by

The guards
sent to the
king.
Dec. 14.

³⁴ Buckingham, ii. p. xi. James, ii. 254. Ralph, 1063. Ellis Corresp. ii. 354. Echard, 1130. I do not notice the different stories respecting the capture and death of Jeffreys.

They are so contradictory that no reliance can be placed on them.

³⁵ Ellis Corresp. ii. 356. Barillon, 24, 25, 27 Dec.

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without notice, and for that purpose Halifax, the chairman, suddenly adjourned the meeting : but Mulgrave conjured them to resume their seats, and extorted from them by his remonstrances an order that the earl of Feversham should take two hundred of the life-guards, and protect the king's person from insult. Feversham solicited an explanation of this order, but was merely told that it gave him no authority to interfere with the liberty or motions of the sovereign. Halifax, to mark his dissatisfaction, or to make his court, immediately left London, and repaired to the head-quarters of the prince ³⁶.

His reasons
for returning.
Dec. 15.

The king, on the arrival of Feversham, determined to return to the capital. To account for this resolution, so contrary to that which he had adopted four days before, it should be known that, during his confinement, lord Winchelsea had strongly advised him to lay aside the design of quitting the kingdom : his friends from London had excited his hopes by representing to him that a sentiment of pity for his misfortunes had rekindled the flame of loyalty in the breasts of numbers ; and Godolphin, though he dared not advise him to return, had blamed his flight, under the notion that the conditions, if they had been approved by the king, would probably have been executed by the prince ³⁷. James resolved to make the experiment. From Rochester he despatched Feversham to William at Windsor, with verbal instructions on several points, and with a written invitation to a personal conference in the capital, where the palace of St. James's would be ready for his recep-

³⁶ Halifax was chosen chairman in the absence of the archbishop of Canterbury, "because, after he had signed the address to the prince, he never would appear in public affairs, or pay the least sort of respect to the prince of Orange, even after he was elected king of England ; and yet, on the other side,

had been as morose to king James before, in never acknowledging his son, or showing him the least civility." Buckingham, ii. p. xiv. xvi. xviii.

³⁷ Barillon, 24 Dec. James, ii. 259, 261. Ralph, i. 1068. Clarendon, Diary, 226.

tion. The messenger found the prince and his advisers perplexed and confounded. On the supposition that James had left the kingdom, *he* had assumed the exercise of the sovereign authority, and had issued orders to the royal army, and the officers of government, in the style of a king or a conqueror; and *they*, in the confidence of success, had parcelled out among themselves the great offices of state, and the rewards to which they were entitled for their services. But Feversham, the moment he had delivered his despatch, was arrested by order of William, and confined in the Round Tower, under the frivolous pretext that he had come without a passport, and had disbanded the army without orders; but probably to convince James, as it did in fact convince him, that he would no longer be treated as a king. But, whatever was the motive of the prince, the arrest shook the confidence of many among his adherents. He had been sent for, they remarked, to protect their liberties; and one of the first uses which he made of his power was to imprison a peer of the realm without assigning any cause or observing any legal process³⁸.

From Faversham the fugitive monarch returned to Rochester, where he was joined by his guards; and from Rochester proceeded in royal guise through the city to Whitehall³⁹. His progress resembled a triumphal procession. He was preceded by a body of gentlemen with their heads uncovered;

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He comes to
Whitehall.
Dec. 16.

³⁸ Buckingham, i. p. xxii. "I asked Bentinck what could be the meaning of committing lord Feversham, to which he made me answer, but with a shrug, 'Alas! my lord.' This proceeding startles me." Clarendon, Diary, 227. See also Barillon, 24 Dec.

³⁹ On the day before, the princess Anne made a similar entry into Oxford to meet her husband. "The earl of Northampton with five hundred horse led the van. Her

royal highness was preceded by the bishop of London at the head of a noble troop of gentlemen, his lordship riding in a purple cloak, martial habit, pistols before him, and his sword drawn; and his cornet had the inscription in golden letters on his standard, *Nolumus leges Angliæ mutari*. The rear was brought up by some militia troops." Ellis Correspondence, ii. 368.

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an immense crowd received him with loud acclamations; the bells were rung, and the evening was ushered in with bonfires. It is not improbable that, during these demonstrations of loyalty, a few rays of hope may have illumined the troubled mind of the king: but they were soon extinguished by the ominous arrival of Zuleistein, and the news of the arrest of lord Feversham. Zuleistein was the bearer of a letter from William, requesting his uncle not to advance nearer the capital than Rochester. But James, observing that the request had come too late, repeated his invitation to a personal interview, and to the remark of the messenger, that the prince could not venture his person in a city occupied by the royal troops, replied, "then let him come with his own guards to St. James's, and I will dismiss mine; for I am as well without any, as with those whom I dare not trust." This conference convinced the king of what he had so long suspected. The language of the letter and of the messenger showed, that William assumed the superiority of a conqueror, and no longer treated his uncle as the sovereign. Yet with these thoughts on his mind the unhappy monarch was sufficiently master of himself, to hold a court which was numerous though not brilliantly attended, to meet his ministers in council, and to sup in public as in the days of his prosperity ⁴⁰. But the next morning he sent a message to Lewis and Stamps, two of the aldermen, that to leave no doubt of his sincerity, he was willing, if the civic authorities would guarantee his personal safety, to place himself in their hands, till full security for the religion and liberties of the nation had been established by parliament. Had the offer been accepted, it would have thrown a most perplexing obstacle in the way of the prince: but it was

Dec. 17.

⁴⁰ James (Memoirs), ii. 261—263. Barillon, 27 Dec.

declined, through the influence of sir Robert Clayton, on the ground that the city ought not to enter into any engagement, which it might not be in its power to fulfil⁴¹.

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A. D. 1688.

In the secret counsels of the prince a determination had been taken, to consider the reign of James at an end from the moment of his late escape from the capital. Now, however, that he was returned to Whitehall, and had been joyfully received by his subjects, William deigned to consult his English adherents, not collectively, but individually and in private, on the delicate and important question, what course ought to be pursued with respect to the royal person. By several it was suggested, that James should be secured a prisoner in some fortress in England, or perhaps in Holland. In that case anxiety for the preservation of his life would deter his friends from any hostile attempts, and Ireland, which was now in the power of Tyrconnel, might be obtained as the price of his liberty. But the prince followed a different counsel. He deemed it more for his interest that James should withdraw from the kingdom, and that his escape should bear the appearance of his own voluntary act. For this purpose he sought to operate on the king's apprehensions; ordered four battalions of the Dutch guards and a squadron of horse under count Solms to march into Westminster, and despatched from Sion-house, the lords Halifax, Shrewsbury, and Delamere with a harsh and peremptory order to his uncle. Halifax was chosen for this office, as Clarendon had been on a recent occasion, to try the sincerity of his conversion⁴².

Perplexity of
the prince.

⁴¹ James, ii. 271. G. Britain's Just Complaint, 8.

⁴² Burnet, iii. 334—337. Clarendon, Diary, 229. Clarendon asked in the presence of William, why the king might not go to one of his own palaces, when lord Delamere

answered that he did not look upon him as a king; and that he ought not to be in one of the royal houses, as if he were a king, and that he should never more be obeyed by him (Delamere) as king. Ibid.

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A. D. 1688.

The Dutch
occupy the
palace.

No answer had been returned to the king's message by Zuleistein; but late in the evening Solms arrived, occupied the palace of St. James's, and, advancing at the head of three battalions, with their matches lighted and in order of battle, demanded possession of Whitehall. The spirit of Lord Craven, the commander of the English Guards, was roused: he declared that as long as breath remained in his body, no foreign force should make a king of England prisoner in his own palace. James hesitated: but a moment's reflection convinced him that resistance against such disparity of numbers could only lead to unnecessary bloodshed, and by dint of entreaty, and some exertion of authority, he prevailed on the old man (Craven was in his eightieth year) to withdraw the Guards from their posts, which were immediately occupied by the Dutch⁴³.

The king is
ordered to
withdraw.

Dec. 18.

The king was now in a state of captivity. With a misboding mind he retired to rest a little before midnight, and after some time sunk into a profound sleep, from which he was suddenly awakened by the earl of Middleton. That nobleman, who lay in the antichamber, had been disturbed by a loud knocking at the outer door; where he found the three commissioners from the prince, demanding immediate entrance. James was at first surprised, but instantly recovering himself, received them in bed, and listened to lord Halifax, who showed him their instructions, and told him that, for his own safety and the preservation of tranquillity, it was deemed proper to remove him from Whitehall; that Ham, a house in Surrey belonging to the dowager duchess of Lauderdale, had been selected for his residence; and that at Ham he might be attended by his own guards, but must quit Whitehall by ten the next morning,

⁴³ James, ii. 264. Buckingham, ii. p. xxiii. Barillon, 30 Dec.

because the prince intended to arrive in the capital about noon. From such an intrusion at such an hour it is probable that the king anticipated some more painful announcement. He appeared to receive the order for his removal with indifference, but objected to Ham as a cold, damp, and unfurnished house ; and expressed a strong inclination to return to Rochester, where the prince had previously desired him to remain. About nine in the morning the commissioners returned with the permission which he had asked ; but, in arranging the manner of his departure, James experienced much opposition from the morosity of lord Halifax, who, as a recent convert, sought to display his devotion to the prince, while lord Shrewsbury, of whose political creed there could be no doubt, behaved with deference to the unfortunate monarch, and laboured to soothe his affliction by gratifying him in every request. About twelve the king bade adieu to the lords and gentlemen and foreign ministers, who had assembled to give him this last proof of their respect, and who, for the most part, burst into tears. Hastening to the river, he went on board the royal barge attended by the lords Arran, Dunbarton, Lichfield, Aylesbury, and Dundee ; several boats carrying one hundred of the Dutch guards, took their respective stations around him, and, at the signal given, the royal captive proceeded down the river. To most of the spectators it proved a mournful and humiliating sight. They felt that powerful impression which is always made by the spectacle of majesty in distress, and they could not behold without shame the king of England conveyed from his capital a prisoner in the hands of foreigners⁴⁴.

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⁴⁴ James (Memoirs), ii. 265—267. Buckingham, ii. p. xxii. Kennet, 503. Evelyn, Diary, iii. 262. Ellis Correspondence, ii.

372. It is a singular fact that the officer who commanded the Dutch guard, and one half of the men were catholics. One of

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Dec. 19—23.
He goes to
Rochester.

James slept at Gravesend, and spent four days at Rochester. There he received no communication from William, but was visited by many of his servants and adherents, who brought him accounts of all that passed in the metropolis. From them he learned, that about three hours after his departure the prince arrived with six thousand men at St. James's, and was visited the same evening by most of the noblemen in London; that the next day he received the duke of Norfolk, who had raised for him a powerful force in the eastern counties, and the aldermen who presented to him an address in the name of the city; that some lawyers had advised him to proclaim himself king, and summon a parliament, after the precedent of Henry VII., but that this advice had been rejected, because it was impossible to reconcile it with the contents of the declaration; that he had, however, begun to exercise the sovereign authority, by ordering the deputies elected in the city on St. Thomas's day to act without taking the oaths, and had requested the lords spiritual and temporal to meet in council, and give him their advice; and that, in consequence of this request, about seventy peers had assembled in Westminster, and had chosen for their legal advisers, in place of the judges, five barristers strongly devoted to the interest of the prince⁴⁵. Every thing concurred to strengthen the king's conviction that his nephew intended to assume the crown; and, when he compared the events of the last few days with what he

them, when the king asked how he, a catholic, could aid a protestant prince to dethrone a catholic king on account of his religion, replied "that his soul was God's, but his sword the prince of Orange's." Burnet, iii. 338. See also James, ii. 273. "Les Anglais qui le virent partir," says Barillon, 30 Dec., "étoient fort tristes, la plupart

avoient les larmes aux yeux. Il a paru même de la consternation dans le peuple, quand on a su que le roi, partoît environné de gardes Hollandoises, et qu'il étoit véritablement prisonnier." See also Clarendon, Diary, 321.

⁴⁵ James (Memoirs), ii. 268—270, 272. Kennet, 504. Burnet, iii. 341.

observed around him, that he was permitted to communicate freely with all who presented themselves, and that, while egress from the house towards the town was closed by the military posted at the door, the road from the garden to the river was left entirely open, he concluded that his presence was an embarrassment to his enemies; and that, if they thus afforded him the means of evasion, it was with the hope that he would avail himself of them to withdraw from the kingdom. This very inference formed of itself a sufficient argument why he should remain: it was hourly confirmed by letters and messengers from his most trusty adherents, and powerfully urged by lord Middleton in person, who plainly told him that if he were once to seek an asylum abroad, he must never expect to set his foot again on English ground⁴⁶. On the other hand it was represented to him, that as long as he remained, he lay at the mercy of an ambitious competitor, who could dispose of him as he thought fit; that he was, and would be in fact a state prisoner, and must know that, according to the saying of his royal father, who had proved the truth of the adage in his own person, there was but a short distance between the prison of a king and his grave; and that even lord Middleton, when the question was put, did not dare to reply that he saw any means of security for his life on this side of the sea. Amidst these conflicting opinions the unfortunate monarch repeated, but with the prelates, the experiment which he had unsuccessfully made with the aldermen; and through the bishop of Winchester offered to

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⁴⁶ Brady was sent to him by the bishop of Ely on this subject (Clar. Diary, 232), and was seen by him. James (Mem.), ii. 270. Clarendon sent Belson with a similar message, "a discreet and honest man, a Roman catholic, and one who never approved the foolish management of father Peters; as,

in truth, did none of the sober Roman catholics." Ibid. Belson went to Rochester, and was announced to the king at supper, who said that he had letters to write, but would speak to him in the morning. In the morning he was gone. Ibid. 234.

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Writes a de-
claration,
Dec. 22.

And escapes
to France.

Dec. 23.

place himself in the custody of the episcopal bench, provided they would answer for his safety. The offer was, however, evaded ; and from that moment he took the resolution to escape from durance, while the council of peers was yet in deliberation respecting his future lot⁴⁷. Before supper he sate down and wrote a declaration of the motives which induced him to withdraw. It was, he said, next to madness to suppose that his life would be in safety as long as he remained in the power of a son-in-law, who had invaded his dominions without provocation, had made him a prisoner in his own palace, had sent him an order in the dead of the night to quit his capital, and had endeavoured to make him appear to the world as “ black as hell,” by imputing to him the crime of a supposititious child ; an imputation which even those who made it believed in their consciences to be false. He was born free, and wished to continue so ; he had ventured his life in defence of his country, and was not yet too old to venture it again ; for that purpose he had withdrawn while it was in his power, but should still remain within call, ready to come forward whenever the people should open their eyes to the false but specious pretexes of religion and property with which they had been deluded⁴⁸. This paper he ordered the earl of Middleton to publish, left certain gratuities to be given to deserving persons, and 100 guineas to each of the captains of the Dutch guard, and having communicated his intention to the lords Aylesbury, Lichfield, Middleton, and Dunbarton, retired to his bed at the usual hour. Soon afterwards he arose, and passed through the garden to the river, in company with Macdonnel and Trevan-

⁴⁷ James, ii. 271, 272. This is confirmed by Reresby, 312. He had sent a similar message to Danby in Yorkshire. Reresby, 325.

⁴⁸ James (Memoirs), ii. 273. Echard, 1134.

nion, two captains in the navy, his natural son, the duke of Berwick, and Biddulph, one of the grooms of the bedchamber. The weather was stormy; the wind and tide opposed their progress; and after an ineffectual attempt to reach the fishing smack which had been hired for the occasion, the king went on board the *Eagle* fireship, and was received by the ship's company with due respect. The next morning he proceeded to his own vessel. They were in all twenty men, well provided with weapons of defence; and after a tedious voyage of two days, in which they ran some danger from the weather, and more from the men-of-war lying in the Downs, arrived without molestation at Ambleteuse on the coast of France. Thence he hastened to join his wife and child at the castle of St. Germain's, where the exile was received by Louis with expressions of sympathy and proofs of munificence, which did honour to the head and heart of that monarch. The reign of James in England and Scotland was at an end ⁴⁹.

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Dec. 25.

Dec. 28.

⁴⁹ James (Memoirs), ii. 275—277. Barillon, 2 Janvier. The prince had sent to Barillon an order the preceding evening to

leave London for France on the 3d, N. S. See note (G.)

NOTES.

NOTE [A], Page 103.

ON Feb. 11, 168 $\frac{7}{8}$, Oates, and on Feb. 15, Bedloe, delivered in accounts of the expenses incurred by them "on occasion of the service of his majesty and the kingdom." It is impossible to read them, without admiring the effrontery of these men. Oates, an acknowledged pauper, had the face to insert the following charges. "*Item*, for a watch to present to the archbishop of Tuam when at Madrid, £8 10s.—*Item*, for gloves and knives to present to the rector of St. Omers, £2 1s.—*Item*, for books which the jesuits had of me, £40.—Money owed to me by the jesuits, £80.—*Item*, my manuscript of the Alexandrian version of the Septuagint, which I gave them, £50.—*Item*, for my expenses from the 17th of June to February 8, £336 16s." Making with several other charges the sum of £678 12s. 6d. Bedloe's account is equally curious, but more moderate. It amounts only to £213.—See Brief History, iii. 121—124.

NOTE [B], Page 301.

EXTRAIT D'UNE LETTRE DE M. DE BARILLON AU ROI.

12 Mars, 1685.

Le Roi d'Angleterre manda, il y a deux jours, l'archevêque de Cantorbery, l'évêque de Londres, et quelques autres. Il se plaignit à eux de ce que les prédicateurs s'emportoient dans leurs sermons contre la religion catholique, et faisoient appréhender au peuple la ruine de la religion protestante; qu'il ne pouvoit souffrir une chose si opposée au bien de l'état, et à la tranquillité publique. Ils lui promirent d'y mettre ordre, et de contenir les prédicateurs dans de justes bornes. Ils rependirent même de la conduite et des discours de ceux qui dependoient d'eux, et donnèrent de grandes assurances de leur fidélité. Sa M. B. leur dit en

les congédiant : Mess. Je vous tiendrai ma parole, et n'entreprendrai rien contre la religion établie par les lois, si vous ne me manquez pas les premiers ; mais si vous ne faites votre devoir à mon égard, n'attendez pas que je vous protège, et croyez que je trouverai bien les moyens de faire mes affaires sans vous. Ces paroles, prononcées avec fermeté, les ont intimidés : mais je doute fort que cela puisse faire changer le fonds de leur conduite.

Il y a deux partis parmi les évêques. L'un est celui de l'archevêque de Cantorbéry, qui est fort modéré à l'égard des catholiques, et fort royaliste ; l'autre est celui de l'évêque de Londres, qui sous prétexte de zèle pour la religion protestante peut faire beaucoup de mal au Roi d'Angleterre. Son maxime fondamentale est la persécution non seulement des catholiques, mais de tous les non-conformistes. Il est fort difficile de concilier leurs intérêts et leurs desseins avec ceux de sa M. B. ; et il ne paroît pas praticable de laisser les catholiques en repos, et avec l'exercice libre de leur religion dans leur maisons, pendant qu'on obligera par des punitions rigoureuses les non-conformistes et tous les autres sectaires à se conformer à l'église Anglicane.

C'est ce qui rend les catholiques plus portés à conseiller à sa M. B. de ne rien espérer du parti episcopal, et de ne rien prétendre pour la religion catholique qu'une pleine liberté de conscience pour toutes les religions dont l'Angleterre est remplie. C'est un parti que le Roi d'A. ne veut prendre, qu'après avoir éprouvé s'il peut établir ses affaires par le moyen du parti Episcopal, en sorte qu'il n'ait plus rien à craindre des autres. Il se flatte que l'église Anglicane est si peu éloignée de la catholique qu'il ne serait pas mal aisé de ramener la plupart d'entre eux à se déclarer ouvertement ; et lui même m'a dit plusieurs fois, ils sont catholiques Romains sans croire l'être.

NOTE [C], Page 339.

Monmouth's letter to the king contained several mysterious expressions, which have given birth to numerous conjectures. "The chief end of this letter is only to beg of you that I may have that happiness as to speak to your majesty ; for I have that to say to you, sir, that I hope may give you a long and happy reign.

"...I can say no more to your majesty now, being this letter must be seen by those that keep me....Could I but say one word in this letter you would be convinced," (of his zeal for the king's service); "but it is of that consequence that I dare not do it." His letter to lord Rochester is in the same mysterious style. "I have that to say to him which I am sure will set him at quiet for ever....I can give him such infallible proofs of my truth to him that, though I would alter, it would not be in my power." Clarend. Corresp. i. 143. See also his letter to the queen dowager in Ellis.

From these passages it is evident that Monmouth pretended to be in possession of some information of tremendous importance to the king, and of such a nature that it could not be safely committed to writing, yet would, if it were to reach the royal ear, merit for him the pardon of his treason. To what could that information relate? Some say to the secret participation of the prince of Orange in the late attempt. But, as Mr. Fox has observed, this hypothesis is totally destroyed by the appeal of the duke to the prince and princess of Orange, to bear testimony of the assurances which he had given them of his resolution "never to stir against the king." Others have supposed that it related to Sunderland, and that that minister was in reality an accomplice in the treasonable attempt. That such was afterwards the prevalent opinion among the followers of the exiled monarch at St. Germain's, is certain: but they were prepared to believe any thing to the prejudice of Sunderland, and had read in Ferguson's narrative that Monmouth had promised to Sunderland the office of secretary which he held under the king. From the printed memoirs of James we may infer that the same was also the belief of that monarch's son: but the story which is there told in support of the charge is not worthy of credit. It is plainly derived, not from the king's memoirs, but from some other source. It tells us that Monmouth confided his secret to Sheldon, to be by him communicated in private to James: that James commanded Sheldon to deliver his message in the presence of Sunderland; and that when he told him from Monmouth, that Sunderland was a traitor, the secretary treated it as a ridiculous subterfuge adopted by the prisoner to save his life. (ii. 34.) But if this were so, how can we account for the silence of Monmouth on that head, both when he was in the presence of the king, and afterwards, when lord Feversham visited him in the Tower by order of the king, to receive any communication which he might have to make?

There is another traditionary version of the story, which conveys the information in a letter from Monmouth after he was sent to the Tower, and makes Sunderland intercept it at the door of the royal closet, where he refused entrance to the messenger under pretence that the king was changing his shirt. (Clar.

Corresp. i. 144, 145.) But we know that the letter, which Monmouth sent from the Tower, was actually received by the king, and that in consequence Feversham waited on Monmouth to receive his communication, which proved to be nothing more than what he had previously made.

After all it is most probable that this unfortunate nobleman had in reality nothing of great importance to disclose, and that he put forth these promises merely to excite curiosity and obtain an interview with the king. It was not the first time that he had employed such an artifice. Expressions of very similar import may be found in his letter to Charles II. at the time when he was charged as an accomplice in the Rye-house plot. That he would endeavour to redeem his pledge during his conference with James, which lasted forty or fifty minutes, by making every discovery in his power, there can be no doubt. He is said to have narrated the whole progress of his own attempt, he might perhaps add what he had learned of the designs of William from his conversation with that prince, perhaps detail the particulars of the intrigue for the banishment of James towards the close of the last reign, so artfully conducted by Halifax, who, it will be observed, was soon after this interview dismissed from office by James with the remark that it was for reasons locked up within his own breast—but, whatever were the disclosures of Monmouth, they were not deemed of sufficient importance to atone for his repeated offences. James, in his letter to the prince of July 14th, says, “the duke of Monmouth and lord Grey desired very earnestly to speak with me, which they did, but did not answer my expectations in what they said to me.” According to Barillon, “il a déclaré n’avoir eu aucun secours de personne, et qu’il est venu ici avec deux cent pièces seulement, que les armes qu’il a achetées ne lui coutoient que 800 pièces, et que ses pierreries avoient été suffisantes. Il s’excusa de ce qu’il a fait sur les instances et les reproches de son parti qui l’accusoient de manquer de courage. Il espéroit une révolte sur plusieurs points d’Angleterre.—Il y a des gens qui croient que M. le duc de Monmouth a parlé contre le P. d’Orange. Mais je n’en ai rien pénétré; et par tout ce que je puis savoir, M. le duc de Monmouth n’a rien dit de fort important. . . . Il demanda une seconde fois de parler au Roi d’A. ; mais on ne le lui permit pas. Il parla seulement à mylord Feversham, à qui il ne dit rien de consequence.” Barillon, 23, 30 Juillet.

NOTE [D], Page 396.

EXTRAIT D'UNE LETTRE DE M. DE BONREPAUS À M. DE
SEIGNELAY.

4 Sept. 1687.

“ Un homme de condition de la cour d'Angleterre, qui a l'entière confiance de myl. Tirconnel, et dont il se sert pour toutes les affaires secrettes qu'il a à faire proposer au Roi son maitre, m'a dit que son ami lui avoit permis de s'ouvrir à moi sur la vue qu'il avoit, qu'en cas que le Roi d'A. vint à mourir, il prenoit des mesures pour ne point tomber sous la domination du P. d'Orange, et pour se mettre sous la protection du Roi. Il auroit souhaité que je fusse allé à Chester, où myl. Tirconnel doit se trouver, pour conférer ensemble sur ce projet. Mais comme j'ai connu par ses discours que l'intention de myl. Tirconnel étoit de demander qu'on fit à présent dans les magasins des provisions d'armes, de selles, et d'autres choses, qu'il croit ne pouvoir trouver facilement en Irlande en cas de besoin, je n'ai pas cru devoir entrer dans une negociation de cette nature sans en avoir un ordre exprès. J'ai seulement dit que je garderois le secret, qu'on m'a fort recommandé, surtout à l'égard de M. de Barillon, qu'on craint à cause de myl. Sonderland, et que, si au retour de Chester, on avoit quelque chose de plus particulier à me dire, je vous en écrirais pour recevoir les ordres du Roi, que cependant il me paroissoit que le Roi d'A. n'étoit point en état par son age ni par sa santé de faire songer à prendre des mesures si éloignées. Ce même homme m'a dit que myl. Sonderland faisoit entendre à myl. Tirconnel que son dessein étoit de se retirer en Irlande en cas d'accident, mais que ce dernier ne se fioit point à l'autre. J'ai su aussi par le marquis d'Albeville que la plus grande inquiétude du P. d'Orange est que l'Irlande ne se met en état avant la mort du Roi d'A. de pouvoir se soustraire de sa domination, lorsqu'il viendra à la couronne. J'ai cru qu'il ne falloit point témoigner plus d'empressement pour une proposition de cette nature. On sera toujours assez à temps à revenir à un homme qui fait de ces sortes d'avances, si le Roi le trouve à propos. Je sais bien certainement que l'intention du Roi d'A. est de faire perdre ce royaume à son successeur, et de le fortifier en sorte que tous ses sujets catholiques y puissent avoir un azile assuré. Son projet est de mettre les choses en cet état dans le cours de cinq années. Mais myl. Tirconnel le presse incessamment pour que cela se fasse en moins de temps ; et effectivement sa M. B. y a envoyé depuis huit jours un vaisseau chargé de poudre, armes et mortiers à bombes, à la sollicitation de cet homme qui m'a parlé.”

M. DE SEIGNELAY À M. DE BONREPAUS.

29 Sept. 1687.

“ J’ai rendu compte au Roi de ce que vous m’écrivez sur ce qui vous a été proposé de la part de myl. Tirconnel, et S. M. trouve l’affaire très importante. Mais il faut que vous preniez bien garde avant de répondre à celui...qu’il ne le faut pas faire légèrement, ni sans être assuré qu’il a une créance positive de myl. Tirconnel. Cela étant, vous pouvez lui dire que le Roi agréé les propositions qu’il fait, et que, la conjoncture arrivant de la mort du Roi d’A. s’il se trouvoit en état de se soutenir dans l’Irlande, il pourroit compter sur des secours considérables de la part de S. M. qui fera disposer toutes les choses nécessaires à Brest pour cet effet. Et comme une matière de cette importance demand un secret impénétrable, il est bon que vous l’assuriez que cela ne passera pas par M. de Barillon, et que vous preniez des mesures pour une correspondance directe avec myl. Tirconnel, afin qu’en cas de besoin on puisse discuter avec lui les conditions sous lesquelles S. M. lui pourroit accorder ses prétensions et les secours dont il auroit besoin, pour maintenir la religion catholique dans l’Irlande, et séparer ce royaume du reste de l’Angleterre, en cas qu’un prince protestant parvint à la couronne.”

 NOTE [E], Page 475.

In the spring of 1689 Sunderland published a vindication of himself (Cogan’s Tracts, vol. iii.) in which he acknowledged his error in consenting to form part of an administration, so hostile to the interests of the country, but maintained that instead of advising, he had always opposed those illegal and irritating measures which provoked the discontent of the people, and led to the expulsion of James. But the circumstances, in which he wrote, detract from his credit, and the despatches of his friend Barillon show that several of his assertions are false.

By the partisans of the exiled prince he was charged not only with having advised and promoted the measures which deprived James of his crown, but also with having done it for that very purpose. But of the latter part of the charge there is no proof: and his conduct may be fairly explained, by attributing it to

his desire of gratifying the king, and thus acquiring power. This is the light in which it was considered at the court, and by the foreign envoys.

That he was the pensionary of France, is certain. The payments and acquittances are still preserved. In return, he bound himself to communicate to the French ambassador whatever he might learn, which could affect the interests of the French king. But it was not to be expected that a man, who was unfaithful to his own sovereign, would be strictly faithful to his engagement to a foreign prince. "M. de Barillon," says Bonrepas, "est très considéré en cette cour, et ami intime de myl. Sonderland, qui lui dit beaucoup de nouvelles, mais je ne suis si persuadé que lui, qu'il lui dise tout ce qu'il sait. J'ai eu occasion de lui faire remarquer des choses que myl. Sonderland ne lui avoit point dites." Bonrepas, 4 Juin, 1687.

That he also betrayed the secrets of the king to his enemy the prince of Orange, has often been asserted; the charge, though never fully proved, is not devoid of probability.

On the 11th July, 1678, Bonrepas writes to Seignelay: "Myl. Sonderland semble être entièrement dévoué au Roi son maitre, et va au delà de tout ce qu'il peut souhaiter pour l'avancement de la religion catholique, mais il fait connoître, de l'autre côté, que cette même conduite, dont il ne se cache point, doit persuader au prince d'Orange qu'il est capable de tout hasarder pour lui, lorsqu'il sera temps. Ce raisonnement est appuyé de la connoissance que j'ai, qu'il entretient un commerce secret avec le P. d'Orange par le moyen de sa femme. On leur prit, il y a quelque temps, des lettres qu'elle écrivoit à Mr. Sydney, qui est presentement auprès du P. d'Orange, et fort bien avec lui. Le Roi d'A. a eu connoissance de ces lettres, que madame de Sonderland a desavouées; et myl. Sonderland s'est tiré d'affaire en disant que quand même ces lettres de sa femme ne seroient point supposées, il seroit impossible qu'il y eut aucun part: qu'on ne savoit que trop que sa femme étoit soupçonnée d'avoir un commerce de galanterie avec Sydney, et qu'il n'étoit pas vraisemblable qu'il mit toute sa fortune et sa vie entre les mains d'un homme qu'il doit haïr."

The contents of these intercepted letters are noticed in a memorial in the depot, in volume 154, Supplement, 1687, 1688. "Madame de Sonderland le prioit de faire comprendre au P. d'Orange que son mari étoit obligé de consentir malgré lui à tout ce qui se faisoit à l'avantage de la religion catholique; mais que puisque la fidélité qu'il devoit au Roi son maitre le forçoit d'agir contre ses propres sentiments, c'étoit une assez grande preuve de la fidélité qu'il auroit pour le P. d'Orange s'il se trouvoit en place lorsqu'il viendrait à la couronne. Ces lettres ont été

desavouées de M. et de Mad. de Sonderland. Mais les soupçons ont été renouvelés à l'occasion du voyage que le St. Felton est allé faire en Hollande."

On the 1st of August, probably in consequence of this information, Louis wrote to Barillon: "J'apprends d'ailleurs que celui d'ont je vous écris a de grandes liaisons avec le P. d'Orange, et qu'il est même tellement attaché aux intérêts de ce prince, qu'il entretient des correspondences secrètes avec lui, non seulement contre mes intérêts, mais aussi contre ceux du Roi de la G. Bretagne. Ainsi vous devez observer de plus sa conduite, et lui faire connoître, que j'ai droit de me promettre qu'il vous avertira plus fidèlement à l'avenir au moins de ce qu'il jugera bien pouvoir altérer la bonne intelligence, qu'il y a présentement entre moi et le Roi de la G. Bretagne."

Barillon defended his friend, as far at least as he durst, in his answer of August 1st. "A l'égard des avis qu'a V. M. sur une correspondance secrète d'une personne considerable en ce pays-ci avec le P. d'Orange, je n'ai garde de contester un fait, ni de revoquer en doute la vérité des avis que V. M. peut avoir, quoique cela n'ait aucun rapport avec tout ce que je sais. Je serai autant appliqué que je le dois à pénétrer ce qui en est. M. D'Avaux m'en avoit mandé quelque chose, il y a deux ou trois mois, mais je crus en ce temps là que cela n'avait d'autre fondement que des discours tenus ici, dont la personne intéressée s'est moquée. La chose en soi est si importante qu'on ne peut trop prendre de soin pour l'éclaircir. Je supplie cependant V. M. de suspendre son jugement, jusqu'à ce qu'on puisse, s'il est possible, découvrir la vérité."

About the end of the year Louis informed Barillon that the same charge against Sunderland had been recently made by Skelton, the English ambassador at Paris. Barillon replied that he could discover nothing to confirm it: on the contrary Sunderland constantly acted in opposition to the views of the prince, was the warmest advocate of every measure in favour of the Catholics, and was even resolved to declare himself a Catholic, whenever the king should require it. Barillon, 9 Janvier, 1688.

On May 20th, 1688, D'Avaux, in answer to an inquiry made by Louis, replies that most certainly the prince and princess of Orange are made acquainted with every thing that passes in the most secret councils of James; that he has often complained to Barillon of the many visits paid by Sydney to the prince; and that Barillon in answer has acknowledged the consideration which Sunderland has for Sydney, and alleged the hardship it would be, to prevent the latter from paying his court to the prince, as he had nothing to hope from the king. D'Avaux concludes thus: "J'ai toujours crû que myl. Sunderland n'a pas été fâché, que M. de

Sydney fut si bien auprès du P. d'Orange, pour avoir dans un changement de gouvernement un homme qui le maintint. Quoiqu'il en soit, on est persuadé ici, que M. de Sydney ignore peu de choses de ce que savent M. et M^{re}. de Sunderland, et il est certain que le P. d'Orange n'ignore rien de ce que sait le sieur de Sydney." D'Avaux, 20 Mai. Negociat. vi. 75. See also note to Burnet, 111. 301.

Though these passages contain no direct proof, the charge contained in them is strongly confirmed by a letter from the private cabinet of William, published by Dalrymple (p. 187). It is written to the prince by lady Sunderland on March 7, 1687; and in it she warns him of certain propositions to be offered to him by the king, advises him to reject them, and apologizes for having addressed him directly, on account of the absence of Mr. Sydney, the "only person whom she trusted."

Barillon, on the disgrace of Sunderland, was careful to inform his sovereign, that the king did not believe that Sunderland had betrayed him. On ^{Dec. 9,}_{Nov. 20,} he mentions him again, but in a different manner. "Myl. Sunderland est ici, et a quitté Windsor. Le Roi d'Angleterre s'explique durement à son sujet." James, in his memoirs, appears to countenance the belief of his duplicity and treachery. Memoirs, ii. 187.

At the revolution Sunderland left England for Amsterdam, but wrote to William that it was by the advice of his friends and not in pursuance of his own judgment: "for I thought I had served the public so importantly in contributing what lay in me towards the advancing of your glorious undertaking, that the having been in an odious ministry ought not to have obliged me to be absent." Mar. 8th, 1689. Dalrym. App. part 11, p. 3.

Some years later William gave 10,000*l.* to lord Dorset to quit the chamberlain's staff, which he bestowed upon Sunderland. "I have always been persuaded," says lord Hardwick, "from the signal confidence which king William reposed in this lord, through the whole course of his reign, that he had received some particular services from him at the time of the revolution, which no one else could have performed: and perhaps this reserved and cautious prince liked him the better for being only *his* man. Both parties (Whigs and Tories), and no wonder, were much embittered against him." Note to Burnet, iv. 369.

On the whole, there can be little doubt that Sunderland, to secure the favour of the prince of Orange, betrayed to him, occasionally at least, the secrets of his sovereign, in violation of his duty and his oath. His assertion that he had "contributed all that lay in him to the advancing of the revolution," may also be true; but most probably it was nothing more than an afterthought, artfully put forward for the purpose of claiming merit to himself for that from which he had hitherto incurred blame.

NOTE [F], Page 492.

The two following letters to Louis XIV. relate to the escape of the queen with her son. The first was written by Mary on her arrival on the French coast, the second by James himself after his return from Faversham to London.

SIRE,

Une pauvre reyne fugitive, et baignée dans ses larmes, n'a point eu de peine à s'exposer aux plus grands périls de la mer, pour venir chercher de la consolation et un asile auprès du plus grand roi, et du plus généreux monarque du monde. Sa mauvaise fortune lui procure un bonheur que les nations les plus éloignées ont ambitionné. La nécessité n'en diminue rien : puisqu'elle en a fait le choix, et que c'est par une estime singulière qu'elle veut lui confier ce qu'elle a de plus précieux en la personne du prince de Galles son fils. Il est encore trop jeune pour en partager avec elle sa juste reconnaissance. Elle est toute entière dans mon cœur, et je me fais un plaisir au milieu de tous mes chagrins, de venir à l'ombre de votre protection.

LA REYNE D'ANGLETERRE.

MONSIEUR MON FRERE,

Comme j'espère que la reine ma femme et mon fils ont dès la semaine passée mis pied à terre en quelques uns de vos ports, j'espère que vous me ferez le plaisir de les protéger ; et sans que malheureusement je fus arrêté en chemin, j'y aurois été moi même pour vous le demander pour moi même aussi bien que pour eux. Votre ambassadeur vous rendra compte du mauvais état de mes affaires, et vous assurera aussi que je ne ferai jamais rien contre l'amitié qui est entre nous. Etant très sincèrement, Monsieur mon frere, votre bon frere,

JACQUES, ROI.

A Whitehall, ce 17 Dec. 1688.

Louis, on the 14th of December, wrote to Barillon :—"Je fus averti hier au matin par une lettre du comte de Lauzun que la reine d'A. étoit heureusement arrivée à Calais avec le P. de Galles, après avoir évité de grands dangers, et j'ordonnai aussitôt au St. de Béringhen, mon premier ecuyer, de partir avec mes carrosses et les officiers de ma maison pour servir cette princesse et le P. de Galles dans leur voyage, et leur rendre les honneurs qui leur sont dus dans tous les lieux de leur passage. Vous informerez le roi d'A. de ce que je vous écris"

NOTE [G], Page 509.

The following news-letter, which describes the reception of James by Louis at St. Germain's, may perhaps appear interesting to some of my readers.

A Versailles, le 7 Janvier, 1689.

Le Roi alla hier après midi atteindre la reine d'A. jusqu'àuprès Chaton. Dès qu'elle approcha, le Roi mit pied à terre, et elle descendit de carosse, aussi-tôt qu'elle l'aperçut. Le Roi, Monseigneur, et monsieur, la baisserent, et les princes de sang ne la baisserent pas. Le Roi, Monseigneur, et monsieur monterent dans son carosse, et la conduisirent à S. Germain en Laye. Le Roi lui donna la main jusque dans son appartement. Ils se traiterent réciproquement de majesté dans leurs discours. Elle appella toujours le Roi, sire, quoique la feue reine et madame la dauphine ne l'appelloient que monsieur. Le Roi lui donna ensuite la main pour la mener dans l'appartement du prince de Galles, qui est celui des enfans de France à S. Germain, et là il la quitta sans qu'elle le conduisit. Le Roi fit plus de caresses au Prince de Galles qu'il n'a jamais faites à ses propres enfans. Outre que la reine est servi magnifiquement à S. Germain, qu'on lui a donné toutes sortes d'officiers, et que le Roi la defraie dans toutes choses, elle a trouvé ce matin six mille Louis d'or sur sa toilette dans une casette fort propre.

Le même jour, 7 du courant, l'entrevue du Roi et du Roi d'A. s'est faite en S. Germain en Laye. Le Roi y est arrivé à six heures du soir, et a été voir la reine d'A. qui étoit couchée. Il s'est assis au chevet de son lit, et y a demeuré environ demi heure, Monseigneur étant debout auprès de lui, et tous les courtisans dans la chambre. Environ sur les six heures on est venu dire au Roi, que le Roi d'Angleterre arrivoit. Il a ordonné qu'on le vint avertir, quand il commencerait à entrer dans la cour, et dès qu'on le lui est venu dire, il a quitté la reine, et est venu jusqu'environ au milieu de la salle des gardes. Et lorsque le roi d'A. a paru au haut du degré, il a avancé vers la porte, et ils se sont joints environ à six pas de la sentinelle au dedans de la salle. Dès que le roi d'A. l'aperçut, il a commencé à s'abaisser, et en approchant de sa majesté il s'est baissé si bas, que le roi a eu de la peine à l'embrasser. Ils se sont embrassés à quatre ou cinq reprises, toujours également baissés, et cela a duré pres d'un pater noster, sans qu'on ait entendu ce qu'ils se sont dits dans ces embrassements. Incontinent le roi l'a mené dans la chambre de la reine, lui donnant la droite sur lui. Sa majesté l'a présenté en

même temps à la reine en lui disant, “ Madame, voilà un gentilhomme de votre connoissance, que je vous amene.” Alors le roi d’A. a embrassé étroitement la reine son épouse en présence de tout le monde. Peu de temps après le Roi a mené lui-même le roi d’A. chez le prince de Galles, et après l’avoir reconduit à la ruelle du lit de la reine, ils se sont séparés. Le roi d’A. a fait une démonstration de vouloir reconduire le roi, et sa majesté lui a dit : “ Monsieur, je crois que ni vous ni moi ne savons guère le cérémoniel de ces occasions, parce qu’elles sont fort rares, et ainsi je crois que nous ferons bien autant que nous pourrons d’en supprimer la cérémonie et l’embarras. C’est encore aujourd’hui chez moi. Vous voulez venir chez moi demain à Versailles, dont je ferai les honneurs, et après demain je reviendrai vous voir ici, et comme ce sera chez vous, vous en userez comme vous voudrez.

Le Roi d’A. avoit avec lui deux de ses enfans naturels. Il a paru avec un air assez gai, et assez riant, et la reine de son côté a paru comblée de joie. Le château de S. Germain est très superbement meublé, et magnifiquement éclairé. On a donné au roi et à la reine des valets de chambre, des huissiers, et toutes sortes d’autres officiers de même que le Roi a, des gardes du corps des cent suisses, des gardes de la prévôté, mais il n’y a point des gardes d’infanterie. Jamais toilette ne fut plus propre, plus magnifique ni plus abondante, et tout ce qu’on peut imaginer pour tous les besoins et la propreté la plus exquise des femmes, que celle qu’a trouvée la reine d’A. pour elle. Le Roi a donné au Roi d’A. pour son entretien, celui de la reine, et du prince de Galles, cinquante mille écus par mois.

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- Alderic, William of, godfather to William Rufus, hanged for joining in Mowbray's rebellion against him, i. 474.
- Aldfrid, succeeds Egfrid, as king of Northumbria, i. 115.
- Alençon (Francis of Valois), duke of, younger brother of the duke of Anjou, proposed as a husband to queen Elizabeth, v. 333; advised by the English ambassador to head the malcontents, 341; confesses being privy to an attempt on the life of his brother, Henry III. 342; openly revolts against him, and applies for aid to Elizabeth, *ibid.*; is reconciled by her mediation, and receives the title of duke of Anjou, *ibid.* See *Anjou*.
- Alexander II. of Scotland, John's rebellious barons do homage to, ii. 264; he does homage to Louis of France, at London, 270; marries Jane sister to Henry III. 292; consents to recognise Henry as his feudal lord, 293; succeeded by his son Alexander III., 294.
- III. of Scotland marries Margaret, daughter of Henry III. i. 294; his death, 405; succeeded by his infant grand-daughter Margaret, daughter of Eric of Norway, *ibid.*
- Alexander III. acknowledged as pope by England and France, in opposition to Victor IV. ii. 50; refuses to confirm the constitutions of Clarendon, 68; recovers possession of Rome, 79; appoints the cardinals Theodric and Albert to inquire into Becket's assassination, 91.
- Algar, son of Leofric, obtains the earldom of Harold, i. 309; his character, *ibid.*; accused of treason, 312; joined by Griffith, prince of Wales, *ibid.*; is pardoned, 313.
- Alfred the Great, son of Ethelwolf, sent to Rome by his father when a child, i. 173; his education, 174; marries Alswitha, 175; is afflicted with a continual malady, *ibid.*; succeeds to the crown, 176; purchases peace of the Danes, *ibid.*; negotiates with Gothrun, the Danish leader, but ineffectually, 179; builds a fleet, 180; vanquishes the Danish fleet, *ibid.*; defects in his character, 181; is compelled to conceal him-

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- Alfred, second son of Ethelred, invades England in the reign of Harold Harefoot, i. 289; cruelly put to death, 291.
- Allectus, murders Carausius, and succeeds him, i. 47.
- Allen, Dr. William, establishes a catholic seminary at Douay, v. 374. Philip II. designs to send him as papal legate to England, 389; he is made a cardinal, *ibid.*
- Alva, duke of, sent by Philip II. to suppress the insurrection in the Netherlands, v. 302; wears out the prince of Orange without suffering him to come to an action, 304; the vessels laden with money for him, from Spain, seized by the English, 305; Elizabeth engages to restore it, 346; Alva is recalled, and succeeded in the government by Requesens, *ibid.*
- Amboyna, massacre of the English factory at, vi. 225.
- Anabaptists, persecution of, in the reign of Elizabeth, v. 385; execution of Peters and Turwert, 386; their proceedings during the protectorate, vii. 148; their preachers inveigh against Cromwell, 152; rising of the Anabaptists in 1657, 235.
- Anderid, British city, destroyed by Ælla, i. 71.
- Anglesey, isle of, conquered by Suetonius, i. 26; by Agricola, 30.
- Anglia, East, conversion of the natives to Christianity, i. 91; invaded by Penda, king of Mercia, 95; by the Danes, 170; Edmund put to death by them, 171; Gothrun the Dane assumes the sceptre, *ibid.*
- Anglo-Saxons: their origin, i. 64; manners, 65; arms, *ibid.*; ships, 66; the Saxons invited over by Vortigern, 68; they afterwards oppose the Britons, *ibid.*; found the kingdom of Kent, 69; British fictions relative to that event, *ibid.*; the kingdom of Sussex founded by Ælla, 70; Wessex by Cerdic, 71; Essex by Erkenwin, 72; East Anglia, *ibid.*; the Saxons spread northward, 73; the kingdom of Bernicia, *ibid.*; Mercia, *ibid.*; feeble resistance made by the Britons, 75; devastations committed by the Saxons, 77; they enslave the natives, 78; the octarchy established, *ibid.*; Saxon Bretwaldas, *ibid.*; see *Bretwaldas*; Ælla, 79; Ceawlin, *ibid.*; Ethelbert, 80; see *Ethelbert*; Eadbald, 86; Redwald, *ibid.*; Edwin, 90; see *Edwin*; the Mercians and Britons, under Penda and Ceadwalla, attack his territory, 95; further successes of the Mercians, *ibid.*; reign of Oswald, 96; of his brother Oswio, 100; Mercia annexed to Northumbria, 105; differences of church discipline, 106; ravages of the yellow plague, 108; uniformity of religious discipline established by archbishop Theodoe, 109; manners of the Anglo-Saxons, 337; feudal customs, 338; vassalage, 339; division of lands, 341; heriots, 345; marriage licences, 346; ranks, the earl, 347; king, 348; queen, 350; ealdorman, *ibid.*; gesith, 351; thanes, 352; gerefa or reeve, 353; georl, *ibid.*; administration of justice, 354; hundredmotes, 355; shiremotes, 356; origin of shires, 357; of hundreds, *ibid.*; courts, 358; the Witenagemot, 359; judicial proceedings, 361; purgation by oath, 364; by ordeal, *ibid.*; punishment for homicide, 367; theft and robbery, 370; slaves, 372.
- Angus, earl of, marries Margaret, widow of James IV. of Scots, and sister to Henry VIII. iv. 41; divorced from her, 319; takes shelter in England, 320; leads the English against James V. but is defeated, 325; proceeds to Scotland, after James's death, to support the interests of Henry VIII. 327.
- Anjou, duke of (afterwards Henry III.), proposed by Burleigh to queen Elizabeth as a husband, v. 312; negotiations for the marriage, 319; he refuses to adopt the reformed worship, 320; his younger brother Alençon afterwards proposed to her, 333; elected to the throne of Poland, 341; succeeds his brother, Charles IX. as Henry III. 342.
- , duke of, brother to the preceding (see *Alençon*), agrees to assist the Netherlands, v. 350; sends Simier to Elizabeth to solicit her hand, 351; comes over to England, and visits her at Greenwich, 352; elected governor of the Netherlands on the death of Don John of Austria, 354; returns to England, and is contracted to Elizabeth, 355; she recalls her consent, 356; libels against him, 357; the queen's concern at his departure, 359; he is crowned earl of Flanders, *ibid.*; failing in an attempt to sieze the principal towns, he returns to France, and dies after a long illness, *ibid.*
- Anlaff, son of Sigthric, king of Northumbria, flees to Ireland, i. 212; invades England, 214; enters Athelstan's camp disguised as a minstrel, 215; defeated at Brunanburgh, 216; enters Mercia after Athelstan's death, 223; opposed by Edmund, *ibid.*; terms of pacification between them, *ibid.*; his death, 224.
- Anne of Austria, sister-in-law to Henrietta Maria, Buckingham's passion for her, vi. 258; the regency devolves on her, 477.
- of Bohemia, queen of Richard II. iii. 186; her death, 232.
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- , princess, second daughter of James II. married to prince George of Denmark, vii. 273; excuses herself from attending the investigation relative to the queen's pregnancy, 474; pledges her word to the prince of Orange, for her husband's defection from her father, 485; escapes from Whitehall and joins the prince's adherents at Northampton, 486.
- Anselm, abbot of Bec, in Normandy, forcibly made archbishop of Canterbury by William Rufus, i. 479; persecuted by him, 480; the bishops ordered to abjure his authority, 483; reconciliation between him and the king, *ibid.*; goes to Rome, 484; returns, and crowns Matilda wife of Henry I. 493; his character as a scholar, 538.
- Antrim, marquis of, aspires to the government of Ireland, vii. 21.
- Arc, Joan of, see *Joan*.
- Arden, a gentleman of Warwickshire, incurs the resentment of the earl of Leicester, and is arrested for a conspiracy against Elizabeth, v. 402; he is executed, and his son-in-law, Somerville, strangled in prison, *ibid.*

- Artemberg, count, ambassador from the archduke to James I. vi. 7; implicated in the plot formed by Northumberland, &c. 9.
- Argyle, earl of, becomes the head of the covenanters in Scotland, vi. 336; appointed lieutenant of the kingdom, 522; views the defeat of his troops by Montrose, 523; exults at Montrose's defeat by Leslie, vii. 37; his power broken by Leslie's defeat at Dunbar, 49; he crowns Charles II. at Scone, 54; conducted to the Tower on arriving in London to congratulate him on his restoration, 385; charges brought against him, 386; condemned and beheaded, 387; his estates conferred on his eldest son, who is created by Charles earl of Argyle, 388; and who is afterwards condemned for *leasing-making*, but pardoned, *ibid.*, *note*.
- , earl of, son of the preceding, takes the test with limitations, viii. 234; imprisoned by order of the duke of York, *ibid.*; is condemned, but escapes, 235; retires to Holland, 236; had received judgement of death, in 1662, when lord Lorn, *ibid.*; his lands restored to his family, *ibid.*; he and Monmouth are chosen by the exiles in Holland as their leaders, 520; purchases arms and ammunition, and agrees with Monmouth that they shall conduct two separate expeditions, 321; he sails from Holland, 322; lands in Scotland, 323; marches towards Glasgow, 324; is made prisoner, 325; and executed, 326.
- Arlington (sir H. Bennet), earl of, refuses a pension from Louis XIV. vii. 522; his character, 523; his daughter married to lord Harry, Charles II.'s natural son, *ibid.*; quarrels with Clifford on the latter being made lord high treasurer, 542; brings forward the test act, 549; impeached of treason and misdemeanors, 567; removed from office, and made chamberlain of the household, 578; proceeds to Holland to negotiate a marriage between the prince of Orange and the duke of York's eldest daughter, *ibid.*; the prince's aversion to him, 579, *note*.
- Armada, the Spanish, preparations for, v. 490; sails under the duke of Medina Sidonia, 498; enters the port of Corunna to be repaired, *ibid.*; suffers in actions with the English fleet, 499; dispersed by fire-ships, 500; returns to Spain by the north of Scotland, 501.
- Armagnacs and Burgundians, two political parties in France: their dissensions occasioned by the murder of the duke of Orleans, iii. 310; massacre of the Armagnacs at Paris, 364.
- Arminians, exiled by the Synod of Dort, vi. 125.
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- Armstrong, sir T., tried and executed on account of the Rye-house plot, viii. 272.
- Arragon, Catherine of, *see* Catherine.
- Arran, James Hamilton, earl of, made governor of Scotland during the minority of Mary of Scots, iv. 327; the regency claimed by the earl of Lennox, 329; the earl of Hertford enters Scotland and demands the young queen to be given up to Henry VIII. which Arran refuses to do, 330; Arran defeated by Somerset at Pinkenkleugh, 382; the regency transferred from him to the queen mother, v. 161; assumes the title of duke of Chastelherault, 165. *See Chastelherault*.
- , earl of, son of the preceding, escapes from France at the instigation of Throckmorton, and arrives in London, where he has a secret interview with Elizabeth, v. 169; the deputies of the Scottish parliament solicit Elizabeth to marry him, 192; becomes insane, 193.
- Artveldt, Jacob van, brewer of Ghent, his interest sought by Edward III. against France, iii. 27; murdered by the populace, 44.
- Arthur, British prince, i. 77.
- , son of Geoffry, eldest son of Henry II. declared heir to the throne by Richard I. ii. 187; his claim set aside, 207; takes his grandmother, Eleanor, prisoner, 213; imprisoned by John in the castle of Rouen, 214; his death, *ibid.*.
- , eldest son of Henry VII., marries Catherine of Arragon, iii. 659; resides with her at Ludlow Castle, 660; his death, *ibid.*.
- Articles, book of, compiled by Henry VIII. containing the reformed doctrine, iv. 267; the thirty-nine articles subscribed to by the convocation, v. 207.
- , the six, statute of, touching the Eucharist, &c. iv. 288; terror occasioned by it, and Cranmer's alarm, 289.
- , of the church of England drawn up by Craumer, iv. 460.
- Artois, Robert of, his history, iii. 25; outlawed by Philip VI. 26; comes to England, and advises Edward III. to assert his claims to the French crown, *ibid.*; returns with Jane de Montfort, 42.
- Arundel, Thomas, archbishop of Canterbury, impeached of high treason in the reign of Richard II. iii. 244; attainted and banished for life, 247.
- , earl of, votes in favour of the reformation to please Elizabeth, to whom he is a suitor, v. 193; falls into disgrace with her, and confined to his house by order of council, *ibid.*, *note*.
- , Phil. Howard, earl of, his history, v. 420; prevented in an attempt to leave the kingdom, and committed to the Tower, 422; fined by the Star-Chamber, and detained in prison for life, 423; tried again several years afterwards on a charge of high treason, 509; Burleigh and Hatton persuade Elizabeth to spare him, and he dies a natural death, in the eleventh year of his imprisonment, 512; Elizabeth's enmity to his widow, 513; his speech to the lieutenant of the Tower, and his funeral, 663.
- Ashburnham, employed by sir H. Vane to treat with the independents, vi. 550.
- Assize of arms, introduced by Henry II. ii. 144.
- , bread, in the reign of John, ii. 215, *note*.
- Aston, sir Arthur, governor of Drogheda, besieged by Cromwell, vii. 29.
- Astrologers, predictions of, in the reign of Henry II. ii. 151, *note*.
- Athelstan, king of Kent, i. 158; captures nine Danish vessels, 160.
- , grandson of Alfred, and first king of England, succeeds his father Edward, i. 210; plot formed against him by the etheling Alfred, 211; takes possession of Northumbria, *ibid.*; reduces the Britons to submission, 212; death of his brother Edwin, 213; Constantine, king of Scotland, submits to him, 214; Anlaf's invasion, 215; obtains an important victory over him and his allies at Brunanburgh, 216; which confirms his power, 217; protects Haco, prince of Norway, *ibid.*; Alau of

- Bretagne, 218; and Louis of France, *ibid.*; his sisters, 220; his character, charities, &c. 221; his laws, *ibid.*
- Attorney-general, permitted to sit in the commons, vii. 561, *note*.
- Augsburgh, league of, against France, instigated by the prince of Orange, vii. 456.
- Augustine, St. introduces Christianity among the Saxons, i. 81; made bishop of Canterbury, 82; his conference with the British prelates, 83.
- Austria, Charles of, son of the emperor Ferdinand, succeeds his cousin Philip II. as a suitor for the hand of Elizabeth, v. 190; makes an offer of marriage to Mary of Scots, 214; renews his overtures to Elizabeth, 224; consents to be content with the private exercise of his religion, 225; informed that he must renounce it entirely, on which he abandons the match, and marries the daughter of the duke of Bavaria, 226.
- , John of, natural son of the emperor Charles V. made governor of the Netherlands, v. 348; forms a design of marrying Mary of Scots, and contending for the English crown, *ibid.*
- Ayscue, admiral, returns from the reduction of Barbadoes, vii. 121; escapes from Van Tromp, *ibid.*; is set aside, 122; sent to the assistance of the king of Sweden, 287.
- Babington of Dethick, enters into a conspiracy against Elizabeth with Ballard, and concert the liberation of Mary of Scots, v. 438; on Ballard's apprehension, he is sheltered by Walsingham, 441; arrested and executed with his associates, *ibid.*; his lands granted to sir Walter Raleigh, 443, *note*.
- Bacon, sir Francis, (lord), aspires to the chancellorship, to the exclusion of Coke, vi. 115; obtains the seals with the title of lord-keeper on the death of Brackley, 117; encourages lady Hatton, Coke's wife, to oppose the marriage of their daughter with sir J. Villiers, 157; falls into disgrace, *ibid.*; is impeached for bribery, 181; fined, *ibid.*; dies five years afterwards, 182.
- Baliol, John, his pedigree, ii. 407, *note*; his competition with Bruce for the crown of Scotland, 412; declared king, 414; does homage to Edward I. 415; consequences of his submission, *ibid.*; accused of disobedience to Edward, 417; consents to make war with England, and forms an alliance with France, 424; the Scots defeated at Dunbar, 426; Baliol resigns his crown, 427; imprisoned in the Tower and afterwards released, *ibid.*; dies, 428.
- , Edward, son of John, his history, iii. 18; his negotiations with Edward III. before his expulsion, 20; recovers the crown after the battle of Halidon-hill, 22; his various alternations of fortune, *ibid.*
- Ball, John, a seditious preacher in the reign of Richard II., stirs up the populace to an insurrection, iii. 177.
- Ballard, John, a catholic priest, comes to England for the purpose of urging the catholics to assist Mary of Scots, v. 437; his designs betrayed by his companion Maude, to Walsingham, 438; he is apprehended, 440; executed, 443.
- Balmerino, lord, trial of, vi. 344; reluctantly pardoned by Charles I. 345.
- Bankers, their mode of advancing money to government, vii. 527.
- Bannockburn, battle of, ii. 504.
- Bards, i. 19.
- Barillon, French ambassador, ordered by Louis XIV. to negotiate a secret treaty with Charles II. viii. 40; stipulates for the prorogation of the parliament and the reduction of the army, *ibid.*; his conferences with Montague, 87; he employs Powell to urge Danby's impeachment, 88, 100; he promotes the misunderstanding between James II. and the prince of Orange, 420.
- Barnes, Dr., defends from the pulpit Luther's doctrine of justification by faith, iv. 296; arrested, *ibid.*; executed, 305.
- Barony, amount of a, i. 428, *note*.
- Barton, Eliz. the holy maid of Kent, accused of conspiracy, iv. 206; executed, 207.
- Bastardy, dispute between the ecclesiastical and civil courts respecting, in the reign of Henry III. ii. 377; determined against the clergy, 378.
- Bastwick, Dr., fined and imprisoned for a treatise against episcopacy, vi. 320; he and Prynn pilloried, 322; is imprisoned in the isle of Scilly, 324; his sentence, and that of Prynn and Barton reversed by the commons, 384.
- Battle Abbey, founded by William the Conqueror, i. 389, *note*.
- Battles, Brunanburgh, i. 216; Scarstar, between Edmund and Canute, 272; Ashdown, 273; Stamford-bridge, between Harold and the king of Norway, 326; Hastings, between Harold and William of Normandy, 332; Bretnville, Henry I. and Louis, 505; Battle of the Standard, David I. of Scots and Stephen, ii. 11; Lincoln, Stephen and Robert of Gloucester (Stephen made prisoner), 18; Bouvines, John, defeated by Philip Augustus, 243; Lincoln, Louis defeated, and thwarted in his pretensions to the English crown, 279; Taillebourg, Henry III. and Louis IX. 301; Saintes, ditto, 302; Lewes, Henry III. made prisoner by the earl of Leicester, 341; Evesham, prince Edward defeats and kills Leicester, 353; Edward I. defeats the Scots at Dunbar and takes Baliol prisoner, 426; Falkirk, Edward I. routs Wallace, 433; Bannockburn, Edward II. defeated by Robert Bruce, 504; Halidon-hill, the Scottish regent, sir A. Douglas, defeated by Edward III. iii. 21; Creci, Edward's victory over Philip VI. of France, 48—52; Nevils-cross, David II. of Scotland taken prisoner, 55; Navarrette, Pedro the Cruel and the Black Prince defeat Don Enrique of Trastamara, 96; Homildon-hill, earl Douglas defeated by the Percies, 285; Shrewsbury, Douglas and Hotspur defeated by Henry IV. 290; Azincourt, signal victory of Henry V. over the French, 350; Beaujé, the English defeated under the duke of Clarence, 376; Crevant, the English, under the earl of Salisbury, defeat the French and the Scots, 392; Verneuil, the duke of Bedford (regent) defeats the duke of Alençon, 395; Roveray, sir John Falstaff defeats the earl of Claremont, 408; Sevenoaks, Cade's victory over the royalists, 466; St. Alban's, Henry VI. made captive by Richard duke of York, 477; Bloreheath, the earl of Salisbury defeats the Lancastrians, 483; Wakefield, the Yorkists defeated by the Lancastrians and the duke of York slain, 493; Mortimer's-cross, the Lancastrians, defeated by the Yorkists under Edward duke of York, 494; St. Alban's, the earl of Warwick and

- the Yorkists put to flight, 494; Towton, a decisive victory obtained by the Yorkists over the Lancastrians, 501; Hedgesley-moor and Hexham, Lancastrians defeated, 508; Edgecote, the Lancastrian party defeated Edward IV. 533; Barnet, Edward IV. defeats Warwick, who is slain, 538; Tewksbury, Edward takes queen Margaret prisoner and kills her son, 540; Bosworth, Richard III. slain, 600; Stoke, Henry VII. defeats the earl of Lincoln and the pretended earl of Warwick, 621; Dismude, the English defeat the Flemings, 630; the battle of Spurs, Henry VIII. puts the French to flight, iv. 22; Flodden, James IV. of Scots defeated by the earl of Surrey, and slain, 29; Edgehill, between Charles I. and Essex, vi. 450; Newbury, ditto, 465; Nantwich, 484; Marston-moor, the royalists under prince Rupert defeated, 488; Naseby, Rupert defeated by Cromwell, 527; Kilsyth, Montrose's victory over the covenanters, 532; Rathmines, Jones defeats the Irish royalists, vii. 29; Dunbar, Cromwell's victory over Leslie, 47; Worcester, Charles II. and the royalists routed by Cromwell, 61; St. Denis, in Flanders, between the allies and French, viii. 44; Sedgemoor, defeat and overthrow of the duke of Monmouth, 335.
- Beards, origin of the fashion of in France, under Francis I., iv. 55.
- Beaufort, Henry, son of John of Ghent, and bishop of Winchester, account of, iii. 401; quarrels with his nephew, Humphry duke of Gloucester, 402; made cardinal, 437; heads a crusade against the Hussites, 438; leads these troops against the French, 439; gains popularity by this conduct, *ibid.*; charges brought against him by Gloucester, 440; his death, 451.
- Becket, Thomas, recommended by Theobald, archbishop of Canterbury, to Henry II. as his minister, ii. 14; his origin and history, *ibid.*; his aggrandizement, 45; his embassy to France, 46; his military exploits, 48; succeeds Theobald, as archbishop of Canterbury, 50; reforms his conduct, 52; loses the king's favour, 53; assents to the constitutions of Clarendon, 63; repents of doing so, 67; is prosecuted at the council of Northampton, 69; condemned to a forfeiture of his goods, *ibid.*; treated insolently at court by the bishops, 71; escapes to France, 72; his friends proscribed by Henry, 77; he retires to Sens, *ibid.*; excommunicates his enemies, 78; has a reconciliatory interview with Henry, 83; returns to England, 84; insulted by his enemies, 86; excommunicates Ranulf and Robert de Broc, 87; refuses to withdraw the excommunication, *ibid.*; is assassinated, 88; formally stripped of the honours of sainthood by Henry VIII. iv. 270.
- Bede, historian, account of, i. 121.
- Bedford, duke of, brother of Henry V. defeats the French fleet and relieves Harfleur, blockaded by Armagnac, iii. 358; regency of France conferred on him, 391; his character, *ibid.*; marries a sister of the duke of Burgundy, 392; marries Jacquetta of Luxemburgh, 422; quarrels with the duke of Burgundy, *ibid.*; his death, 425.
- , Jacquetta, duchess of, her daughter lady Elizabeth, married to Edward IV. iii. 513; reports of witchcraft circulated against her, 522, *note*.
- , Geo. Nevil, son of the earl of Northumberland, created duke of, preparatory to his proposed marriage with the eldest daughter of Edward IV., iii. 526.
- Bedloe, W. (Oates' coadjutor) arrested at his own request, viii. 73; his depositions as to the popish plot, and sir E. Godfrey's death, 74; asserts that it is intended to re-establish catholicism, 75; accuses France as one of Godfrey's murderers, 84; obtains a reward of 500*l.* 103, *note*; informs against Reading, 105; his depositions on his death-bed, 165.
- Belasyse, lord, he and four other catholic peers committed to the Tower, viii. 65; impeachments against them, 104.
- Belesme, Rob. de, earl of Shrewsbury, see *Shrewsbury*.
- Bennet, sir Henry, see *Arlington*.
- , sir John, judge of the prerogative court of Canterbury, impeached and fined, but pardoned by James I. vi. 182.
- Berengaria, daughter of the king of Navarre, conducted to Naples by Eleanor, mother of Richard I. ii. 169; married to him at Lymesol, 172.
- Berkeley, sir J. the duke of York is ordered by his brother, Charles II. to dismiss him, vii. 217; returns with the duke to Bruges, *ibid.*; the enmity between him and Clarendon, and the different causes assigned for it, 218, *note*.
- Bernicia, kingdom of, founded by Ida, i. 73; united to Deira, 87 (see *Northumbria*); divided by Halldene among his followers, 178.
- Bethune, David, made cardinal, iv. 321; publishes the will of James V. vesting the regency in him and three others, 327; the will disregarded, and the earl of Arran appointed governor, *ibid.*; Bethune imprisoned, 328; recovers his liberty, 329; reconciled with Arran, 330; condemns to death Geo. Wishart, a preacher, 379; is assassinated, *ibid.*
- Bianchi, or Albat, a fanatical sect in Italy, iii. 279, *note*.
- Bible, Tyndal's translation of, iv. 272; Matthews's, 273.
- Biddle, John, the father of the English Unitarians, vii. 188, *note*.
- Bishop, capt. system of espionage formed by, vii. 82.
- Bishops, English, deposed by the Normans, i. 409; Norman prelates, 410; election of bishops, ii. 219; their right to vote at the trial of peers discussed, viii. 116; the Scots deputies aim at the suppression of, in the reign of Charles I. vi. 389; petitions presented for their abolition, 390; a majority in parliament obtained by the reformers, *ibid.*; twelve bishops impeached by the commons, 424; bishops restored to seats in parliament, at the restoration, vii. 378.
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- Blackwall, the arch-priest, takes the oath of allegiance to James I. vi. 71; dies in prison, 73.
- Blake, admiral, proceeds to the Tagus, to attack prince Rupert's fleet, vii. 111; takes two ships from Van Tromp, 118; defeated by him, 122; obtains a victory over him, 124; a second ditto, 169; captures a French flotilla, 178; burns an Algerine flotilla, 198; takes a Spanish fleet at Santa Cruz, 247; dies while entering Plymouth harbour, 248; buried in

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- Blount, sir Thos. partisan of Richard II. particulars of his execution, iii. 281, *note*.
- , sir Chas. son of lord Mountjoy, is distinguished by Elizabeth's notice, and thereby excites the jealousy of Essex, with whom he fights a duel, v. 528.
- Blood, col. attempts to steal the crown, vii. 519; is not only pardoned by Charles II. but presented with an estate in Ireland, 520.
- Boadicea, revolts against the Romans, i. 27; defeated by Suetonius, 29; her death, *ibid*.
- Bocher, Joan, itinerant preacher, executed for heresy, in the reign of Edward VI. iv. 441.
- Bohemia, John, king of, slain at the battle of Creci, iii. 53; his crest assumed by the prince of Wales, *ibid*.
- Boleyn, Anne, her history, iv. 119; offer of marriage made to her by Percy, son of the earl of Northumberland, 120; her father made viscount Rochfort, *ibid*; Henry's passion for her, 121; he resolves to marry her, 126; she catches the sweating sickness, 143; has an establishment at court, 151; seconds the endeavours of Wolsey's enemies to disgrace him, 158; Clement's breve against her cohabitation with the king, 187; accompanies Henry to France, 188; privately married to him, 190; is crowned, 197; and delivered of the princess Elizabeth, *ibid*; her indecent conduct on the death of Catherine, 234; her jealousy of Jane Seymour, 235; imprisoned on suspicion of an intrigue with sir Henry Norris, 236; her incoherent behaviour in prison, 237; her trial, 239; a divorce pronounced by Cranmer, 241; she is beheaded, 245; Henry's cruelty towards her, 246; arguments for and against her innocence, 487.
- , Mary, elder sister of Anne Boleyn, supplanted by her in the affections of Henry VIII. iv. 118.
- Bolinbroke, Roger, chaplain to Humphrey, duke of Gloucester, accused of sorcery, iii. 444.
- Bolton, Robert, sir T. Gascoign's agent, accuses him and others of a conspiracy against Charles II. viii. 157; publishes the "Papists' Bloody Oath, &c." *ibid. note*.
- Boniface VIII. endeavours to protect the Scots from Edward I. on the plea of the kingdom belonging to the papal see, ii. 437.
- Bonner, bishop of London, commanded to preach according to the new service, iv. 428; deprived by Cranmer and imprisoned, 430; deputed by Gardiner to conduct the prosecutions of heretics, v. 85; reprimanded for want of zeal, 87.
- Booth, sir George, heads a rising in Cheshire against the parliament, vii. 306; trial of his son, lord Delamere, viii. 361.
- Bothwell, earl of, hereditary admiral of Scotland, taken into favour by Mary of Scots, and made one of her ministers, v. 237; he and Murray prevail upon her to pardon Maitland, *ibid*; suspected of a criminal intimacy with the queen, 238, *note*; joins Murray and Maitland's conspiracy against Darnley, 240; they enter into a bond to murder him, 241; obtain Morton's subscription to the bond, and permission for him to return from exile, 242; Bothwell is accused of Darnley's murder, 245; tried and acquitted, 247; the parliament enter into a bond declaratory of his innocence, 249; he seizes on the queen's person and conducts her to Dunbar, *ibid*; Mary consents to marry him, 250; he is divorced from his wife for that purpose, 251; is created duke of Orkney, and is married to her at Holyrood-house, 252; Morton and other nobles associate against him, and form a plot to seize him and the queen, 254; he is permitted to retire, and Mary returns to Edinburgh, 256; he signifies, from Denmark, his consent to a divorce, 284; dies in Denmark, 391, *note*.
- Bonvines, battle of, between John and Philip Augustus; John defeated, ii. 243.
- Bradshaw, John, chosen to sit as president at the trial of Charles I. vi. 628; account of him, *ibid. note*; takes an active part in the new government, vii. 5; protests against Cromwell's expulsion of the parliament, 133; proposed as speaker in opposition to Lenthall, 182; becomes one of the leaders of the opposition, *ibid*; his body disinterred and hung up at Tyburn, 358.
- Brandon, sir Charles, created duke of Suffolk, iv. 33. See *Suffolk*.
- , lord, tried as one of Monmouth's associates, but pardoned through the influence of his sister-in-law, one of James's mistresses, viii. 360.
- Bread, assize of, in the reign of John, ii. 215, *note*.
- Breda, Charles II.'s declaration from, preparatory to his recall, vii. 338.
- Bretagne, acquired by Henry II. by the marriage of his son Geoffrey to the heiress of Conan, earl of Richmond, iii. 76.
- , Anne of, Maximilian king of the Romans and other suitors solicit her hand, iii. 626; assisted by Henry VII. against Charles VIII. 630; married by proxy to Maximilian, 632; but is afterwards compelled to marry the king of France, 633.
- Bretwalda, meaning of the title, i. 79; Ælla, first Bretwalda, 79; Cæwlin, second, *ibid*; Ethelbert, third, 80; Redwald, fourth, 86; Edwin, fifth, 90; Oswald, sixth, 96; Oswio, seventh, 100; Egbert, eighth, 155.
- Bridgman, sir Orlando, chief justice of the Common Pleas, succeeds Clarendon as chancellor, vii. 482; the great seal taken from him and given to Shaftesbury, 541.
- Brihtic, king of Wessex, poisoned by his wife Eadburga, i. 153.
- Bristol, Digby, earl of, sent to Philip IV. to negotiate the match between the Infanta, his sister, and prince Charles, son of James I. vi. 197; sends a messenger to prevent the prince's journey to Spain, 201; Buckingham's jealousy of him, 204; Bristol is recalled to England, where he is detained a prisoner in his own house, 210; is accused of treason, 249; sent to the Tower, 255.
- , earl of, openly reproaches Charles II. with his indolence, &c., vii. 478; impeaches Clarendon, 479; supports the test act although a catholic, 551; obtains a pension for himself and wife, with an exemption from the test, 552.
- Britons, their origin, i. 7; different tribes and districts, 9; manners, 10; superior civilization of the southern Britons, 11; cause of ditto, *ibid*; traffic in tin, 13; in lead and hides, *ibid*; other exports, 14; custom of dying the body and tattooing, *ibid*; religion, 15; Druids and their sacrifices, 16; their doctrines, 17 (see *Druids*); government of the Britons, 20; character of, by ancient writers, 21;

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- Bruce, Robert, his pretensions to the crown of Scotland, ii. 412; his claims set aside by Edward I. in favour of those of Baliol, 414.
- , grandson of the preceding, murders John Comyn of Badenoch, Baliol's nephew, ii. 479; reasons assigned by Scotch historians, *ibid.*; assumes the title of king, but is reduced to the state of an outlaw, 482; escapes to the island of Ráchrín, *ibid.*; his wife imprisoned, 483; his brothers, Thomas and Alexander, executed, 484; takes Perth, 502; defeats Edward II. at Bannockburn, 504; obtains the release of his wife, sister, &c. in return for the earl of Hereford, 505; refused the title of king by Edward, 506; settles the succession, *ibid.*; proceeds to Ireland and joins his brother Edward, 511; returns, 512; refuses to acknowledge the truce with England proclaimed by the pope, 520; sends a force against Isabella at York, 521; concludes the truce, *ibid.*
- , Edward, lands in Ireland, where he is joined by the O'Nials, ii. 509; is crowned, 510; joined by his brother, 511; falls in battle against John, lord Birmingham, 514.
- Brunanburgh, splendid victory gained at, by Athelstan, i. 216.
- Buckhurst, lord, sent to allay the discontent of the Belgians against Leicester, v. 482; imprisoned in his own house for preferring accusations against the earl on his return, 486.
- Buckingham, duke of, asserts Gloucester's pretensions to the crown, iii. 578; confederates against Richard III. in favour of the earl of Richmond, 585; his pedigree, 587, *note*; commences hostilities against Richard, 588; makes his escape in disguise, is taken and executed, 589.
- , Stafford, duke of, offends Wolsey, iv. 59; misled by the predictions of Hopkins, 60; arrested and tried, 61; executed, 62.
- , George Villiers, duke of, son of sir Edward Villiers, account of his rise, vi. 108; becomes Somerset's rival, 109; his power, 158; accompanies prince Charles to Spain on his visit to the Infanta, 200; is made duke, 203; his enemies at home take advantage of his absence, 206; he quarrels with the Spanish minister Olivarez, and disgusts the Spaniards by his conduct, *ibid.*; determines to break off the prince's match, 208; procures the recall of Bristol, the English ambassador, 210; becomes popular on his return, for having opposed the match, and forms a coalition with the country party, 213; relates to parliament all the transactions relative to the proceedings in Spain, 215; accused to James of forming a plot against him, 221; recovers the king's favour, 223; concludes a league between England and the United Provinces, 225; retains his influence over Charles after the death of his father, 235; he is governed by his favourite, the earl of Holland, 243; negotiates a treaty with Denmark, *ibid.*; forbidden by Richelieu to visit Paris, 244; the commons resolve to impeach him, 248; charges brought against him, 252; he is made chancellor of Cambridge, 253; his defence against the charges, 254; Charles dissolves the parliament to prevent the reply of the commons, 255; Buckingham's passion for Anne of Austria, 259; he appears before Rochelle, 266; makes a descent on the island of Rhé, 267; publishes a manifesto in defence of his proceedings, 268; his loss of troops, 269; Dr. Lamb, his physician, murdered by the mob, 282; prepares to take the command of a force to succour Rochelle, *ibid.*; is assassinated by Felton, 283; his character, 285; his debts paid by the king, 286; punishment of his assassin, *ibid.*
- Buckingham, duke of, is banished from court by Charles II. and affects the character of a patriot, vii. 464; is challenged by lord Ossory, 466, *note*; deprived of his offices, and ordered to surrender to the lieutenant of the Tower, 480; kills the earl of Shrewsbury in a duel, 492; is challenged by Coventry, 496; shows his enmity to the duke of York, *ibid.*; opens a negotiation with the duchess of Orleans, 498; sets up the duke of Monmouth as a competitor for the succession, 506; suggests to the king a divorce, *ibid.*; Louis bestows a pension on lady Shrewsbury, Buckingham's mistress, 522; his extravagance and licentiousness, 524; proceedings against him and the other ministers, 566; is dismissed and joins Shaftesbury, 578.
- Burgh, Hubert de, the justiciary, defeats the French fleet in the reign of Henry III. ii. 281; the exercise of the royal authority confided to him, 284; marries one of the Scottish princesses, 285; takes Bedford Castle from Fawkes, 286; his influence and power, 289; commanded to give an account of his wardships, &c. *ibid.*; imprisoned, 290; restored to his estates, 292.
- Burgundy, John the Fearless, duke of, releases Isabella queen of Charles VI. from Tours, iii. 361; enters Paris in triumph with her, after the massacre of the Armagnacs, 365.
- , Margaret, duchess of, furnishes her nephew, the earl of Lincoln, with assistance for Lambert Simnell, the pretended earl of Warwick, iii. 619; acknowledges the pretensions of Perkin Warbeck, 638.
- Burleigh, lord, (see *Cecil*), suggests to Elizabeth a marriage with the duke of Anjou, v. 312; suspected by her of holding a secret correspondence with the queen of Scots, 388; tenders his resignation, on the queen's refusing to listen to the remonstrances of the council in her quarrel with Leicester, 433; resigns his place to his son, sir Robert Cecil, 543; his death, 557.
- Burley, sir Simon, favourite of Richard II. imprisons a burgher of Gravesend, iii. 177; his pardon solicited by the king of the duke of Gloucester, 232; beheaded, *ibid.*
- Burnet, bishop, defends polygamy, or divorce, in the case of Charles II. vii. 506; loses Charles's favour

- by his treachery towards Lauderdale, 584, *note*; his arguments with lord Russell prior to the latter's execution, viii. 255, *note*; revises Russell's written speech, 257; visits Holland, and acquires great influence with the prince and princess of Orange, 422; pronounced a fugitive for refusing to return when cited to appear to answer the libellous publications traced to him, 433; composes a memorial supposed to be presented by the English protestants to the States, 465.
- Burrhed, king of Mercia, assisted by Ethelwulf against the Welsh, i. 161; aided by Ethelred against the Danes, 168; negotiates with the Danes, 176; abandons his kingdom, 177; dies at Rome, *ibid*.
- Burton, Henry, preaches against the bishops, vi. 321; imprisoned in Guernsey, 324.
- Cabal, members of the cabinet so called in the reign of Charles II. vii. 522.
- Cade, John, assumes the name of Mortimer, and excites an insurrection in Kent, iii. 465; defeats the royalists at Sevenoaks, and kills Sir Humphry Stafford, 466; enters London, *ibid*; the insurgents dispersed, 467; Cade killed, 468.
- Cadiz, Drake's expedition against, v. 482; victory of the English at, v. 540; expedition against, in 1625, vi. 242.
- Cadwan, king of North Wales, affords an asylum to Edwin, i. 88.
- Ceadwalla, king of North Wales, joins with Penda against Northumbria, i. 95; vanquishes Osric, and puts Eanfrid to death, 96; defeated by Oswald and slain, 97.
- , prince of Wessex, flees from Ceutwin, i. 142; made king, 143; conquers the Isle of Wight, *ibid*; puts to death the brother of Oswald, governor of the island, 144; enters Kent, and avenges the death of his brother Mollo, *ibid*; goes to Rome to be baptized by the pope, 145; dies, *ibid*.
- Calais, besieged by Edward III. iii. 53; surrenders to him, 58; retaken, in the reign of Mary, by the duke of Guise, v. 127; taken by the Spaniards in the reign of Elizabeth, 538.
- Caledonia, invaded by Agricola, i. 23; incursions of the natives against the Romans, 41.
- Camelodunum, Roman city, burnt by the Britons, i. 28.
- Cambridge, Richard, earl of, forms a conspiracy against his cousin, Henry V. iii. 341; is executed, 343.
- Cambridge, university of, its dispute with James II. on his ordering them to admit a Benedictine monk, viii. 404.
- Cameronians, a fanatic sect of the Scotch covenants, viii. 224; they excommunicate Charles II. 226.
- Campeggio, cardinal, sent by Clement VII. to England to conduct the proceedings relative to Henry VIII.'s divorce, iv. 141.
- Campion, Edward, a jesuit, comes over to England with Persons, v. 377; his letter declaratory of the purpose of his mission, 378; is arrested, 380; examined before Elizabeth, 381; tried, 382; executed, 383.
- Candles, employed by Alfred to measure time, i. 194, *note*.
- Canterbury, see founded, i. 82; archbishop Theodore establishes uniformity of church discipline, 110; the city besieged and destroyed by the Danes, 261; archbishop Elphege put to death, *ibid*.
- Canute, succeeds his father Sweyn, i. 266; quits England, 267; invades it again, 268; lays siege to London, 271; battles against Edmund Ironside, 272; treaty of pacification, 274; succeeds Edmund, 276; sends away Edmund's children to the king of Norway, *ibid*; kills Edwy, Edmund's brother, 276; marries Emma, Ethelred's widow, *ibid*; slays the traitor Edric, 278; dismisses his Danish troops and establishes guards, 279; gains the affections of his English subjects, 280; his laws, 281; visits Denmark, 282; conquers Norway, 283; subdues the Scots, *ibid*; makes a pilgrimage to Rome, 284; his letter to the English, 285; his death, 287; succeeded by Harold Harefoot, 288.
- Capel, lord, royalist commander, his design of raising the royal standard in support of Charles I. frustrated, vi. 589; executed after the establishment of the commonwealth, vii. 8.
- Caractacus, his resistance against the Romans, i. 24; delivered up to them, *ibid*; liberated by Claudius, 25.
- Carausius, his usurpation in Britain, i. 46; murdered at York by Allectus, who succeeds him, 47.
- Careless, colonel, secretes himself with Charles II. in the royal oak, vii. 69.
- Carendolet, secretary of the Spanish embassy, has private interviews with James I. in which he insinuates that Buckingham entertains sinister designs against him, vi. 221.
- Carew, Sir Alexander, executed for engaging to surrender Plymouth to Charles I. vi. 512, *note*.
- Carey, Dr., fined and imprisoned for a pamphlet supposed to be written by Shaftesbury, viii. 18, *note*.
- Carleton, Sir Dudley, becomes secretary of state under Charles I. vi. 294.
- Carlisle, Thomas Merks, bishop of, defends Richard II. in the parliamentary proceedings against him, iii. 271; imprisoned, *ibid*; translated to Cephalonia in Samos, *ibid*; pardoned by Henry IV. and made rector of Toddenham, *ibid*.
- Carthaginians, the Tin Islands discovered by, i. 11.
- Cartismandua, delivers up Caractacus to the Romans, i. 24.
- Cartwright, leader of the nonconformists in the reign of Elizabeth, imprisoned, v. 519.
- Casimir, duke, leads an army of Germans to assist the Huguenots, v. 349.
- Cassilis, earl of, one of the deputation from the Scottish parliament to Charles II. after his father's execution, vii. 17.
- Cassiterides, or Tin Islands, discovered, i. 11; the same as the Scilly Islands, 12.
- Castlemaine, lady (Mrs. Palmer), becomes the mistress of Charles II. vii. 403; her husband made earl of Castlemaine, 414; Charles introduces her to his queen, who falls into a swoon, 415; her influence at court, 416; is made duchess of Cleveland, *ibid*.
- , Roger Palmer, earl of, vii. 464; accused by Oates, and sent to the Tower, viii. 65, *note*; tried and acquitted, 155; sent by James II. on an embassy to Rome, 370; recalled, 414.
- Castles, description of one, ii. 17, *note*.
- Castro, Alphonso de, confessor to Philip II. condemns the persecution of heretics, v. 86.
- Catesby, Robert, his history, vi. 30; plans the gun-

- powder plot, 31; discloses his intentions to Winter, *ibid.*; who brings over Guy Fawkes from the continent, 32; engages Percy and Wright as other accomplices, 33; they commence their operations, 36; Catesby proposes a case to father Garnet to satisfy the scruples of his confederates, 37; he adds four more associates, 41; and sir Everard Digby, 44; and Tresham, *ibid.*; undertakes to proclaim the heir apparent on the plot being carried into effect, 46; reveals it to Greenaway, a jesuit, 47; urged by Tresham to warn lord Mounteagle, 48; pursued and slain, with Percy and the two Wrights, after Fawkes's apprehension, 55.
- Cathari, sect of fanatics in the reign of Henry II. *ii.* 145.
- Catherine, daughter of Charles VI. of France, marries Henry V. *iii.* 374; marries Owen of Tudor, 433.
- of Arragon, married to Arthur, eldest son of Henry VII. *iii.* 659; Arthur dies, and she is contracted to his brother Henry, 661; marries him on his accession, *iv.* 7; her children, 117; commencement of Henry's coldness to her, 118; origin of the divorce, 121; her trial before the legates, 153; she is ordered to leave Windsor, and retires to Amptphill, 151; the divorce pronounced by Cranmer, 194; her death, 232.
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- of Braganza, queen of Charles II. received by him at Spithead, *vii.* 414; her emotion on lady Castlemaine's being introduced to her, 415; she is subjected to various insults, *ibid.*; wins the king's esteem by her meekness, 416; his grief at her illness, *ibid.*; she is accused of treason by Titus Oates, *viii.* 78, 79.
- Catholics, acts of parliament against, in the reign of Elizabeth, *v.* 313; persecution of them, 371; penalties to which they are subjected, 372; catholic nobles imprisoned, 373, *note*; catholic college established at Douay by Allen, 374; removed to Rheims, 375; Maine, a catholic priest, executed, and Tregian, his patron, deprived of his estate, *ibid.*; other executions, 376; colleges and hospitals for English catholics established at Rome, *ibid.*, *note*; arrival of Persons and Campian, 377; proclamation against jesuits, *ibid.*; new penal enactments, *ibid.*; trial of Campian and twelve other priests, 381; he and two others executed, 383; seven of the others afterwards executed, 384; penal statutes against catholics and catholic clergymen, 411; they are opposed by Parry, who is afterwards imprisoned, 412; the catholics petition Elizabeth in vain, 417; six clergymen, &c. executed after the defeat of the Spanish Armada, 508; trial and death of the earl of Arundel, 509; sufferings of the catholics, 513; penalties for recusancy, 514; cruelties inflicted on the poorer classes of recusants, 515; domiciliary visits, and imprisonments, 516; severity of the persecution against catholics, *vi.* 39; Pound condemned for complaining to the council, *ibid.*, *note*; numerous families beggared by the penalties, 40; menaces of the chancellor, 41; two new bills of penalties passed after the gunpowder plot, 68; laws of recusancy enacted in Scotland after the restoration of episcopacy, 129; the hopes of the English catholics raised by the disasters in the Palatine, 191; parliament demand the enforcement of the penal laws, 217; treatment of the catholics by Charles I. 305; rigour abated towards lay recusants, 306; all catholics ordered to quit the court, 382; persecuted by the parliament during the civil wars, 499; trials and executions of catholics in Ireland, *vii.* 100; Irish catholic officers banished, 101; catholic clergy ordered to quit the island, 106; petition of the English catholics to Charles II. 379; they claim the benefit of the declaration from Breda, 380; the project frustrated by the measures against the jesuits, *ibid.*; protestation of allegiance by the Irish catholics, 398, *note*; the promises given them by the act of settlement, broken, *vii.* 400; catholic priests ordered to quit England, 426; bill for the more effectual conviction of recusants, *viii.* 13; it is rejected by the commons, 14; and their bill for preventing the growth of popery rejected by the lords, *ibid.*; plot of the jesuits forged by Titus Oates (see *Oates*), 49; proclamation for all catholics to quit London, 64; catholics excluded from parliament by the test act, 71; informations against catholics, 103; the five catholic lords in the Tower impeached, 104; report of another attempt by them to set fire to London, 110; five jesuits executed, 133; trial and acquittal of Wakeman, &c. 134; execution of several priests, 136; pageant to raise an excitement against popery, 144; the duke of York presented for recusancy, 151; Dangerfield's or the meal-tub plot, 152; Yorkshire plot, 156; trial of sir T. Gascoign, &c. 157; execution of Mr. Thwinge, *ibid.*; great numbers of catholics convicted of recusancy, 280; Charles pardons several catholic priests, 281; James II.'s designs in favour of catholics, 303; chapels opened, and communities of friars established in London, 379; James claims toleration for catholics in Scotland, 385; declaration of liberty of conscience, 401; James recommends Alban Francis, a Benedictine monk, for a degree at Cambridge, which involves him in a dispute with the university, 404.
- Cattle, prices of, in the reign of Edward VI. *iv.* 416, *note*.
- Cavendish, Thomas, his maritime expedition against the Spaniards, *v.* 479.
- , lord, his character, *vii.* 580; tumult occasioned in the house of commons by his altercation with sir J. Hanmer, 586; made one of the new council, *viii.* 108.
- Cecil, sir William, secretary to Edward VI. implicated in Northumberland's treason against Mary, *v.* 144; assists Elizabeth in forming a secret cabinet, 145; favours the rebellion of the Scottish reformers, 159; persuades Elizabeth to support them, 167; and to aid them with a fleet and army, 174; fomented dissensions in France, 178; advises Elizabeth to assist the Huguenots, 199; his plans for effecting Mary's destruction, 265; advises Elizabeth to refuse her an interview, 266; endeavours to work her disgrace, 276; engages not to oppose Norfolk's marriage with her, 285; instructs the ambassador Norris to incite the Huguenots in their rebellion on the fresh breaking out of disturbances in France, 303; made earl of Burleigh, 312. See *Burleigh*.
- , sir Robert, second son of the preceding, proposed by his father as successor to secretary Walsingham, *v.* 543; made chancellor of Lancaster, 552; sent on an embassy to Henry IV. of France, 553; agrees to

- facilitate James' accession to the throne, 594; his counsels to him, 602; made earl of Salisbury, vi. 6. See *Salisbury*.
- Cecil, sir Edward, created lord Wimbledon, and appointed to command the expedition against Cadiz, vi. 242.
- , William, lord Roos. See *Roos*.
- Celibacy of the clergy insisted upon by Henry VIII. in opposition to Cranmer, iv. 289.
- Cellier, Mrs. a Catholic midwife, she and lady Powis accused by Dangerfield of feigning a plot by the presbyterians (the meal tub plot), viii. 154; acquitted, 155; tried again for a libel, and fined, *ibid.*, *note*.
- Cenulf, king of Mercia, i. 134; deposes Eadbert, king of Kent, *ibid.*; restores the prerogatives of the see of Canterbury, 135; his quarrel with archbishop Wulfrid, 136; succeeded by his son Kenelm, 137.
- Ceolred, king of Mercia, succeeds Cenred, i. 125.
- Ceolwulf, king of Northumbria, i. 117.
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- Cenred, king of Mercia, his peaceable reign, i. 125.
- Cerdic, Saxon chief, arrives in Britain, i. 71; founds the kingdom of Wessex, 72.
- Chancellor, discovers the port of Archangel, iv. 476; sent by Mary to the Czar John Basilowitch, v. 138; perishes by shipwreck on his return, *ibid.*
- Charlemagne, his correspondence with Offa, king of Mercia, i. 130; his letter to Ethelhard, archbishop of Canterbury, 131, *note*; receives Eadburga, widow of the king of Wessex, 153; his history by archbishop Turpin, i. 542.
- Charles IV. of France (Le Bel), succeeds his brother Philip V. ii. 535; invades Guienne, *ibid.*; his artifice with regard to surrendering Guienne to Edward II. 536; at the pope's solicitation sends his sister Isabella from Paris, 539.
- of Anjou, conquers Sicily, the crown of which is offered him by Urban IV. iii. 316.
- V. of France (the Wise), succeeds his father John, iii. 93; consents that Don Enrique shall lead the "Companies" against Pedro the Cruel, 94; enters into an alliance with Castile, against England, 100; recovers several provinces from the latter, 101; annexes Bretagne to his territories, 172; dies, and is succeeded by his son Charles VI. *ibid.*
- VI. of France, his daughter Isabella married to Richard II., iii. 237; he receives her back from Henry IV. 305; besieged in Paris by the Armagnacs, 310; Henry V. demands Normandy, &c. 338; hostilities commenced by Henry, 343; massacre of the Armagnacs at Paris, 364; the queen and duke of Burgundy exercise the royal authority, 365; the princess Catharine marries Henry, 374; Charles' death, 391.
- VII. succeeds his father Charles VI. iii. 391; his adherents defeated, 395; the Scots promise to support him, 394; the English besiege Orleans, 406; Charles assisted by Joan d'Arc, 410; crowned at Rheims, 414.
- VIII. son of Louis XI. placed under the tutelage of his sister Anne of France, iii. 627; deprecates the interference of Henry VI. between him and the duke of Bretagne, *ibid.*; gains the battle of St. Aubin, 629; compels Anne of Bretagne to marry him, although he is contracted to Margaret of Austria, 634; fails in his attempt to conquer Italy, 655; dies and is succeeded by Louis XII. 656.
- Charles IX. of France, son of Henry II. and Catharine of Medicis, succeeds his brother Francis II. v. 198; for an account of the religious dissensions during his reign, see *Huguenots*. Exculpates himself to Elizabeth for the massacre at St. Bartholomew, on the pretence of necessity, 335.
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- Dacres, Leonard, raises troops for the purpose of joining Westmoreland and Northumberland in their insurrection in favour of Mary of Scots, but finding their cause desperate, turns against them, v. 295; afterwards openly opposes Elizabeth, is defeated by lord Hunsdon, and escapes into Flanders, 296.
- Danby, earl of, lord-treasurer in the reign of Charles II., strives to crush sectarianism, vii. 581; impeached by lord W. Russell, 585; his proposal relative to parliamentary oaths, 591; he objects to Charles's secret treaty with France, viii. 4; endeavours to defeat the intrigues of the popular party by displaying his zeal for the church, 11; his plan for the security of the established church, 12; Montague's intrigue against him, 86; he seizes Montague's papers, 87; his papers delivered up to parliament, 89; he is impeached, 90; Montague's baseness towards him, 91; Danby's defence, 92; he effects the duke of York's banishment, 95; a pardon granted Danby by the king, to stay the impeachment, 99; his punishment demanded by the commons, 100; he surrenders himself up, and is sent to the Tower, 102; discharged after five years' imprisonment, 277; promises his support to the prince of Orange, 426.
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- Day, bishop of Chichester, refuses to remove the altars in his diocese, iv. 434; he and the bishop of Worcester deprived of their sees, *ibid.*.
- De Dominis, Marco Antonio, archbishop of Spalatro, abjures popery, comes to England, and is made dean of Windsor, v. 172.
- Delamere, lord, son of sir G. Booth, tried as one of Monmouth's associates, viii. 361; declares himself in favour of William, on that prince's landing in England, 481.
- Delvin, lord, joins Tyrone and Tyrconnel, vi. 139; imprisoned in Dublin-castle, 142; escapes, *ibid.*; pardoned by James I. and created earl of Westmeath, *ibid.*; refuses to abjure catholicism, 148.
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- Douglas, sir Archibald, regent of Scotland, relieves Berwick, which is besieged by the English, and lays siege to Bamborough-castle, iii. 21; slain at the battle of Halidon-hill, against Edward III. 22.
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- Edgehill, battle of, vi. 450.
- Edgiva, sister of Athelstan, and wife of Charles the Simple, i. 218; marries the count of Meaux, 219; imprisoned by her son, 220.
- Edilfrid, son-in-law of Ella, his conquests, i. 87; pursues Edwin, 88; defeated by Redwald, 89; dies in battle, *ibid.*; his son Oswald, 97.
- Editha, sister of Athelstan, married to Otho, son of the emperor Henry the Fowler, i. 220.
- , daughter of earl Godwin, marries Edward the Confessor, i. 301.
- Edmund, king of the East Angles, put to death by the Danes, i. 171.
- , second king of England, succeeds his brother Athelstan, i. 222; opposes Anlaf, 223; pacification entered into between them, *ibid.*; conquers Northumbria, 224; and Cumbria, 225; his death, *ibid.*; succeeded by his brother Edred, 226.
- , Ironside succeeds his father Ethelred, i. 271; besieged in London by Canute, *ibid.*; gains the battle of Sceairstan, 272; defeats the Danes at Oxford, 273; defeated at Ashdown, 274; divides the kingdom with Canute, *ibid.*; his death, 275.
- Edmund, earl of Lancaster, second son of Henry III., the crown of Sicily bestowed on him by Innocent IV., ii. 312; his claim disputed by Manfred, prince of Taranto, 313; sent by his brother Edward II. to negotiate with Philip III. of France, 421; his death, 425.
- , Rich, archbishop of Canterbury in the reign of Henry III., account of, iii. 381; voluntarily resigns his see and retires to France, 382.
- Edred, succeeds his brother Edmund, i. 226; effects the final subjugation of Northumbria, 227; his ministers Turketul, 228; and Dunstan, 229; his death, 230.
- Edred, son of Alfred the Great, succeeds him, i. 203; opposed by his cousin Ethelwold, *ibid.*; takes possession of Mercia, 204; attacks the northern Danes, 205; his successes, 206; his death, 207; family, *ibid.*; his conquests, 208; ecclesiastical affairs, 209.
- , the Martyr, succeeds his father Edgar, i. 248; opposed by his stepmother Elfrida, 249; murdered by her order, *ibid.*
- , the Confessor, son of Ethelred, makes an unsuccessful attempt to hinder Harold's succession to the crown, i. 289; Hardecantute's generosity towards him, 295; succeeds that prince, 296; his mild character, 297; severity towards his mother, 298; Magnus, king of Denmark, lays claim to the English crown, 299; Edward marries Editha, 301; rebellion of the Godwins, 302; he solicits the assistance of William of Normandy, 305; pardons the Godwins, 306; abolishes the Dane-gelt, 310; assists Malcolm prince of Scotland against Macbeth, 311; civil war, 312; Wales subdued by Harold, 314; his intended pilgrimage to Rome opposed by the witan, 313; sends for his nephew Edward from Germany, *ibid.*; who dies suddenly, *ibid.*; rebuilds the church of St. Peter, Westminster, 320; dies, *ibid.*; his exemplary character, 321.
- , the Outlaw, nephew of Edward the Confessor, sent from Germany by his uncle, i. 315; his sudden death, *ibid.*, 320, *note*.
- , I. eldest son of Henry III. espouses the interests of the barons in their disputes with the king, ii. 331; excites their jealousy, 334; takes refuge in Windsor Castle, 335; challenges the earls of Leicester and Derby, 340; routes the Londoners, Leicester's adherents, at the battle of Lewes, 341; but the king is taken prisoner, 342; Edward and his cousin Henry d'Almaine retained as hostages by Leicester, *ibid.*; effects his escape by the aid of the earl of Gloucester, 350; defeats Leicester's son, 352; defeats and kills Leicester at the battle of Evesham, 353; reduces the cinque ports to obedience, 355; subdues in single combat, and afterwards pardons, Adam Gordon, *ibid.*; joins Louis IX. in an expedition to the Holy Land, 359; on arriving at Tunis finds him dead, 360; returns to Italy, 361; his cousin Henry d'Almaine assassinated, *ibid.*; Edward is urged by his father to return, 362; but sails to the Holy Land, 388; is wounded by an emissary of the emir of Joppa, who endeavours to assassinate him, 389; returns to Europe, and learns on his route through Calabria his father's death, *ibid.*; does homage to Philip III.

of France, 391; stops in Guienne to quell the disorders there, *ibid.*; gains a prize at a tournament, *ibid.*; his treaty with the earl of Flanders, 392; his coronation, 394; proceeds against Llewellyn for refusing to do homage, 395; joined by David, Llewellyn's brother, 396; reduces Llewellyn to terms, *ibid.*; both brothers rebel and lay waste the marches, 398; Edward reduces Anglesey, 399; Llewellyn is slain, 400; Edward refuses to pardon David, 401; causes him to be hanged, *ibid.*; after subjugating Wales endeavours to civilize it, and introduces the English jurisprudence, 402; his son Edward born in Carnarvon castle, 403; acts as mediator between the kings of France, Arragon, and Sicily, *ibid.*; plans a marriage between his son Edward and Margaret, the infant queen of Scotland, 406; claims the right of settling the Scots succession on Margaret's death, 408; Baliol chosen king and swears fealty to Edward, 414; Edward accuses him of disobedience, 418; quarrel between the Normans and English, 419; great victory at sea gained by the latter, 420; Edward cited to appear before Philip to answer for contempt towards his liege, *ibid.*; he sends his brother Edmund to negotiate, 421; loses Guienne by ceding it to Philip as the dowry of Margaret, that king's sister, whom he purposes to marry, 422; leaves Guienne and proceeds to Wales, 423; demands assistance from Baliol to recover Guienne, 425; marches against him, *ibid.*; defeats him at Dunbar, 426; takes him prisoner, 427; receives the homage of the Scots nobles, 429; the Scots surrender at Irvine, 431; Edward defeats Wallace, 433; marries Margaret, Philip's sister, 436; Boniface VIII. opposes Edward's claim of Scotland, asserting it to belong to the see of Rome, 437; a parliament summoned at Lincoln to consider the pope's demands, 439; Boniface refuses to acknowledge the validity of Edward's pretensions, 441; the king recovers Guienne, 442; he overruns Scotland, 443; takes Stirling castle, 445; cruelties imputed to him at Berwick and Dunbar, 448, *note*; his nephew, John de Bretagne, appointed guardian of Scotland, 449; Edward's exactions from his subjects, 455; his demands resisted by the clergy, 456; they are outlawed, 458; and submit, *ibid.*; the king removes the earls of Hereford and Norfolk from their offices for disobedience, 461; endeavours to conciliate the clergy, *ibid.*; sails to Flanders, 463; makes an addition to the charter respecting tillages, 464; his insincerity in making these concessions, 468; their importance, 470; persecutes the Jews, 471; banishes them, 472; knights his son Edward preparatory to an expedition against Robert Bruce, 481; puts to death many of Bruce's adherents, 483; imprisons his wife, sister, and the countess of Buchan, 484; dies on his way to Scotland, 485; his wife, Eleanor of Castile, *ibid.*; Margaret of France, *ibid.*; his injunctions to her son, 487; buried at Westminster, 488.

Edward II. succeeds his father, Edward I. *ii.* 486; recalls Piers Gaveston, and creates him earl of Cornwall, 488; makes him regent, on his departure for France, *ibid.*; marries Isabella, daughter of Philip le Bel, *ibid.*; his coronation, 489; the barons petition for the banishment of Gaveston, *ibid.*; petition of the commons against oppressions, 490; Gaveston returns, and the barons consent to his remaining,

492; Edward summons a parliament at York, and the barons refuse to attend, 493; is obliged to consent to a committee for the redress of grievances, *ibid.*; is rejoined by Gaveston, on whom he confers fresh favours, 494; receives the articles of reform, *ibid.*; meets Gaveston at York, after the return of the latter from Flanders, 497; reconciled with the barons, 500; loses various fortresses in Scotland, 501; his military preparations impeded by the barons and clergy, 502; defeated by Bruce at Bannockburn, 504; returns to England by sea, 505; refuses Bruce the title of king, 506; disaffection among the Irish, 507; they are joined by Edward Bruce, 508; the king sends John de Hotham to treat with them, 509; Bruce crowned, 510; Edward complains to the pope, and the Irish present a memorial to him justifying their conduct, 512; dreadful famine and pestilence in England for three years, 515; his designs on Scotland during the absence of Robert Bruce in Ireland frustrated by the disobedience of the nobles, 517; submits to the truce between England and Scotland proclaimed by the pope, 518; which is rejected by Bruce, 519; the Scots take Berwick, &c. 520; the Scots advance against the queen at York, and slaughter the force raised by the archbishop, 521; truce concluded, 523; the barons oppose the influence of the Spensers, *ibid.*; the Spensers are banished, 525; Edward takes Ledes castle, executes the governor, and imprisons lady Badlesmere, 527; the Spensers return, *ibid.*; the earl of Lancaster joins the Scots, 528; the earl taken and executed, 530; revision of the ordinances, 531; the petitions of the Spensers granted, *ibid.*; inroads of the Scots, who pursue the king to York, 532; sir A. Harclay (earl of Carlisle), executed for conspiring with them, 533; truce with Scotland for thirteen years, 534; Mortimer escapes and goes over to Charles le Bel, *ibid.*; Charles invades Guienne, 535; the queen goes to France, 536; Edward sends his son to do homage to Charles in his stead, 537; the queen and prince refuse to return, *ibid.*; Edward's letter to the queen, 538, *note*; ditto to his son, *ibid.*; he declares war against Charles, 539; the queen returns with a force, and is joined by great numbers, 541; she publishes a proclamation against Spenser, 541; Edward flees to the Isle of Lundy, 542; the elder Spenser taken and executed, 543; Edward gives himself up to the earl of Leicester, and is confined in Kenilworth castle, 544; the younger Spenser executed, 545; the prince is declared king, and Edward deposed, 546; and murdered at Berkley castle, 550; his character, *ibid.*

Edward III. sent by his father (at the age of twelve) to do homage to his uncle, Charles le Bel, for Guienne, *ii.* 537; opposes his father's orders, 539; contracted by his mother Isabella to Philippa, daughter of the count of Hainault, *ibid.*; is declared king after his father's captivity, 546; prepares to resist the Scots, and purchases the services of John of Hainault, *iii.* 4; makes peace with Bruce, 8; his uncle, the earl of Kent, accused through the intrigues of Isabella and Mortimer, and executed, 10; Edward advised by lord Montacute to cast off Mortimer's authority, 13; aids in securing Mortimer, 14; who is executed, 15; Edward concludes two treaties with Edward Baliol, 20; defeats the Scots at Halidon

Hill, 22; claims the crown of France on the death of Charles IV. as grandson of Philip IV. 23; does homage to Philip of Valois for Guienne, 24; receives Robert of Artois, who excites him to declare war against Philip, 26; commences the campaign with the siege of Cambray, 28; exhorted to peace by Benedict XII. 30; assumes the title of king of France, *ibid.*; defeats Philip's fleet, 32; lays siege to Tournay, 34; challenges Philip to single combat, *ibid.*; Jane of Hainault, the queen's mother, sues for a pacification, 35; an armistice concluded, *ibid.*; on his return to England he accuses his ministers of treachery, 36; accuses archbishop Stratford of having intercepted his supplies, *ibid.*; an information lodged against Stratford in the Exchequer, which leads to a discussion respecting the rights of the peerage, 37; Edward's dissimulation and pretended concessions to his parliament, 38; stops the process against Stratford, 39; supports the pretensions of the earl of Montfort to the duchy of Bretagne, 40; concludes a truce with Philip, 42; war recommenced, and the earl of Derby sent to Guienne, 43; Edward lands in Normandy, 45; advances upon Paris, 46; crosses the Somme, 47; prepares for the battle of Creci, 48; his interview with his son after the victory, 52; the Scots invade England, 54; they are defeated at the battle of Nevil's Cross, and David taken prisoner, 55; progress of the war in Guienne, 57; Calais surrenders to Edward, 58; truce concluded between England and France by the mediation of Clement VI. 61; De Chagny, governor of St. Omer, attempts to take Calais by surprise, 62; Edward takes Eustace de Ribeaumont prisoner, 63; defeats the Spaniards at sea, 64; returns to England, 65; the great pestilence, *ibid.*; treaty for the prolongation of the armistice with France, 71; the war renewed, under the command of the Black Prince, 72; Edward returns, and invades Scotland, 73; the battle of Poitiers, 74; the Black Prince takes prisoners the king of France, and his son Philip, 79; Edward releases the king of Scotland, 83; marches through France on his conditions for John's ransom being rejected, 85; consents to a peace, 87; liberates John, 89; loses his possessions in France, 105; obtains a truce, *ibid.*; his ministers lose their popularity, 106; they are prosecuted, *ibid.*; also Alice Perrers, *ibid.*; the Black Prince dies, 107; Edward dies the following year, 110; his character, *ibid.*; advantages arising from his wars, 111; grievances redressed by him, 112; administration of justice during his reign, 114; statute of treason, 115; state of the parliament, 117; system of taxation, 127; constitution of the army, 133; of the navy, 141; affairs of the church, 144; bishops, 148; inferior benefices, 150; controversy relative to the papal jurisdiction in England, 156; Wycliffe, 158. Edward, the Black Prince, his first exploits at the battle of Creci, *iii.* 31; his danger in an engagement against the Spaniards at sea, 65; gains the battle of Poitiers, and takes the French king prisoner, 79; marries his cousin Joan, countess of Kent, 95; aids Pedro the Cruel, *ibid.*; assists in gaining the battle of Navarrete, 96; returns into Guienne, 97; his impoverished finances and ill health, 99; refuses to do homage to Charles V. 100; massacres the inhabitants of Limoges, 101; his retirement, 103; opposes the influence of his brother, John of Gaunt, 105; dies, 107.

Edward IV. (see *York, Edward, duke of*) is proclaimed in London, *iii.* 496; a decisive victory gained over the Lancastrians at Fowton, by the earl of Warwick, 502; Edward crowned, 503; bill of attainder against the three last sovereigns, *ibid.*; the Lancastrians make fresh efforts, and are defeated at Hedgley-moor and Hexham, 508; Edward forms treaties with Scotland and other foreign powers, 511; privately marries lady Elizabeth Gray, 513; discontent of the Nevils in consequence, 516; marriage proposed between Margaret, the king's sister, and Charles of Burgundy, 517; endeavours to prevent his brother Clarence's marriage with Warwick's daughter, 520; insurrection in Yorkshire, *ibid.*; the royalists defeated at Edgecote, 523; made prisoner by Clarence and Warwick, *ibid.*; obtains his release, 524; insurrection in Lincolnshire, 527; the rebels defeated at the battle of Erpingham, 528; Clarence and Warwick flee to France, 529; Edward escapes to Holland on the return of Warwick and his declaring himself for Henry VI. 533; privately assisted by his brother-in-law, the duke of Burgundy, 536; returns to England, *ibid.*; abjures his pretensions to the crown, 537; re-assumes the title of king, and is joined by Clarence, *ibid.*; gains the battle of Barnet, 539; his claim secured by the battle of Tewksbury, 541; his treatment of the Lancastrians, 543; forms an alliance with Burgundy and Bretagne against France, 549; lands in France, 551; accepts terms of peace from Louis, 553; sends Clarence to the Tower, 556; who is afterwards put to death, 558; war with Scotland, 559; Berwick besieged, 561; surrendered to Edward, 562; his anger against Louis for refusing to conclude the marriage between the dauphin and the princess Elizabeth, *ibid.*; his death, 563; character, *ibid.*; family, 565; state of parties at his death, 566.

— V. overtaken by his uncle Gloucester on his road to London for his coronation, and conducted back to Northampton, *iii.* 570; enters London, 571; removed to the Tower, *ibid.*; he and his brother Richard murdered there, 586.

— VI. son of Henry VIII. and Jane Seymour, his birth, *iv.* 293; proclaimed king, 356; the council of regency, 369; the earl of Hertford appointed protector, 370; his coronation, 374; the protector rendered independent of the council, 377; death of Francis I. and negotiations with France, 378; treaty with the murderers of cardinal Bethune, 379; the protector invades Scotland, 382; religious innovations, 385; Gardiner's opposition to them, 386; parliament, 388; grant of chauntries to the crown, *ibid.*; repeal of new treasons, 389; petition of the clergy for seats in the commons refused, 390; bill for administering the sacrament in both kinds, *ibid.*; suppression of mendicity, 391; proclamation for destroying images, 393; catechism and Book of Common Prayer composed, 395; bill passed for the marriage of the clergy, 398; sir T. Seymour, lord admiral, marries the queen dowager, 399; his execution, 404; hostilities against the Scots, 406; lord Grey of Wilton enters Scotland with an army, 407; the young queen conveyed to France, 408; advantages on the part of the Scots, *ibid.*; general discontent in England, 409; insurrections, 410; in Oxfordshire, 411; Devonshire, 412; Ket's rebellion in Norfolk, 414; war declared by France, 416; dissen-

- sions in the cabinet, 417; party formed against the protector, 420; who is accused of misdemeanours, and sent to the Tower, 421; his submission and discharge, 423; honours conferred on his enemies, 423; peace with France and Scotland, *ibid.*; deprivation of bishop Bonner, 428; of Gardiner, 431; of Day and Heath, 433; the princess Mary admonished to conform to the new doctrine, 435; executions for heresy, 439; treaty of marriage between Edward and the daughter of Henry II. of France, 448; he entertains the queen dowager of Scotland, 450; Somerset's trial, 452; and execution, 453; acts of parliament, legal provision for the poor, &c. 456; improvements in trials for treason, 458; articles of the church of England drawn up, 460; code of ecclesiastical laws, 462; Edward's ill health, 464; his last parliament, 465; the bishopric of Durham suppressed, *ibid.*; Northumberland recommends him to alter the succession in favour of lady Jane Grey, 468; Edward consents, 469; opposition on the part of the judges, 470; Cranmer's compliance, 472; the instrument signed by the councillors, *ibid.*; the king's death, 474; his abilities, *ibid.*; and religious opinions, 475; state of the nation during his reign, 476; increase of paupers, *ibid.*
- Edward, prince, son of Henry VI. born, iii. 474; the protectorate requisite from his father's incapacity, to devolve on him, on his attaining age, 476; marries Warwick's daughter Anne, 531; put to death in his tent, after the battle of Tewkesbury, 541; his widow afterwards married to Richard duke of Gloucester, 548.
- Edwin, son of Ælla, i. 87; takes refuge with Redwald, 88; restored to his throne by him, 89; marries Edilburga, daughter of Ethelbert, 90; the princes of Wessex attempt to have him assassinated, *ibid.*; his revenge and consequent conversion to christianity, 91; baptized by Paulinus, metropolitan of York, 93; his extensive power, 94; his peaceable administration, *ibid.*; Penda and Ceadwalla rebel against him, 95; his death, *ibid.*; his daughter Eanfled marries Oswio, 100.
- , brother of Athelstan, his death, i. 213.
- and Morcar, govern the army, under Edgar Etheling, i. 383; swear allegiance to the Conqueror, 384; Edwin rebels and submits, 398; his death, 413.
- Edwy, son of Edmund, succeeds his uncle Edred, i. 231; his dissolute conduct, 232; his ingratitude towards his grandmother Edlgyva, *ibid.*; his amour with Ethelgyva, 233; revolt of the Mercians, 235; his death, 236; succeeded by his brother Edgar, *ibid.*
- Egfrid, succeeds his father Oswio, in Northumbria, i. 111; his conquests, 112; his wife Edilthyra takes the veil, and he marries Ermenburga, 113; imprisons and afterwards banishes Wilfrid, bishop of York, 114; ravages the coast of Ireland, 115; his death, *ibid.*
- Egwin, mother of Athelstan, i. 210.
- Egferth, king of Mercia, succeeds his father Offa, i. 134.
- Elcho, lord, defeated by the royalists at Tippermuir, in the reign of Charles I. vi. 523.
- Eleanor of Poitou, wife of Henry II. ii. 47; fomented dissensions between her children and husband, 117; is imprisoned by Henry, 118; made prisoner by her grandson Arthur, 215.
- Eleanor, daughter of Henry II. marries Alphonso of Castile, ii. 155.
- of Provence, marries Henry III. ii. 319; her relations promoted, 320; is insulted by the populace, 335.
- of Castile, first wife of Edward I. said to have sucked the poison from a wound inflicted on him by an assassin, ii. 389; her character, 483; crosses erected by Edward to her memory, *ibid.*
- Elfrida, Edgar's second wife, her story, i. 247; causes Edward the Martyr to be put to death, 249; her severity towards her son Ethelred, 251; builds the monasteries of Ambresbury and Whorwel, *ibid.*
- Elgiva, sister of Athelstan, marries Louis of Aquitain, i. 221.
- Elizabeth, queen of Edward IV. see *Gray, lady Elizabeth*.
- , daughter of the preceding, marriage proposed between her and the earl of Richmond, iii. 587; her uncle, Richard III. wishes to marry her, 594; her satisfaction, 595; married to Henry VII. 611; delivered of her first son, Arthur, 615; crowned, 622; Henry's conduct to her, 660, *note*; her death, 661.
- , daughter of Henry VIII. and Anne Boleyn, born, iv. 197; the great familiarity between her and sir Thomas Seymour, 401, *note*; her neutrality during the uncertainty of lady Jane Gray's or Mary's possession of the crown, v. 14; meets her sister on her entry into London, *ibid.*; conforms to the restored religion, 27; attempts made to create dissension between her and Mary, 39; Mary's enemies propose to marry Elizabeth to Courteney, and proclaim her queen, 42; sir T. Wyatt advises her to retire to Dunnington, 44; she refuses either to do so or return to court, and shuts herself up at Ashridge, *ibid.*; she and Courteney arrested after Wyatt's insurrection, 57; evidence against them, 58; their acquittal obtained by Gardiner, 59; Elizabeth sent to reside at Woodstock, 60; Freitville's conspiracy to depose Mary and raise Elizabeth to the throne, 109; she is accused, but saved by Philip's interposition, 111; is anxious to escape to France, 112; various matches proposed to, but rejected by her, 113; promises not to alter the catholic worship, 133; succeeds her sister, 143; a new cabinet formed by Cecil, 145; disposition of foreign courts towards the new queen, 146; her claims considered invalid by Paul IV. *ibid.*; she is advised to put down catholicism, 147; the bishops refuse to officiate at the coronation, 149; the ceremony performed by the bishop of Carlisle, *ibid.*; the parliament urge her to marry, 151; act in favour of her legitimacy, 152; statutes in favour of the reformed service, *ibid.*; opposition of the clergy, 153; the nonjuring clergy expelled, 155; peace with France, 156; Calais restored to England, 158; peace with Scotland, 159; Elizabeth persuaded by Cecil to support the Scots reformers, 167; Sadler and Croft urge them to hostility against the regent, 168; Elizabeth furnishes them with money, 171; an English fleet sent to assist them, 174; Elizabeth affects to be anxious to preserve tranquillity, 177; Cecil attempts to excite civil dissensions in France, 178; failure of the siege of Leith, 181; and termination of the war in consequence, *ibid.*; treaty between Elizabeth and Mary, 184; the latter refuses to ratify it, 186; va-

rious suitors rejected by Elizabeth: Philip II. 189; Charles of Austria, 190; Eric, king of Sweden, 191; Adolphus, duke of Holstein, 192; the earl of Arran, *ibid.*; sir W. Pickering, 193; earl of Arundel, *ibid.*; Dudley, earl of Northumberland, 194; her unbecoming familiarity with him, *ibid.*; she aids the French Huguenots, 199; sends them troops, 200; loss of Rouen, 201; obtains money from parliament to send to the Huguenots, 203; conspiracy of the nephews of cardinal Pole in favour of the queen of Scots detected and frustrated, *ibid.*; penal statute against the catholics, 204; meeting of the convocation, who frame the thirty-nine articles, 207; pacification of parties in France, and Elizabeth's displeasure at it, 208; Warwick surrenders Havre, 209; a disgraceful peace concluded with France, 210; insists on Mary's ratifying the treaty of Leith, 212; refuses to have a personal interview with her, 213; attempts to prevent her marriage with the archduke of Austria, 214; proposes Dudley to her as a husband, 215; favours Darnley's addresses to her, 217; makes Dudley earl of Leicester, *ibid.*; drives Murray and his companions from her presence, 222; determines to marry, *ibid.*; the queen-mother of France proposes to her Charles XI. as husband, 224; orders Cecil to express her inclination for the archduke Charles, *ibid.*; who refuses to comply with her conditions, 226; commands Riccio's murderers to quit her kingdom, 232; her conduct on receiving the intelligence of the birth of Mary's son, 233; she resolves on keeping the right of succession undecided, *ibid.*; opposed by parliament in her application for supplies, 234; her reply to their petition, 235; calls upon Mary to clear herself from the suspicion of being privy to her husband's murder, 247; she expresses her indignation at Mary's being made a prisoner, 257; professes friendship for her, and refuses to acknowledge Murray as regent, 265; advised by Cecil not to grant her a personal interview till she has cleared herself from suspicion, 266; assured by the duke of Norfolk that he does not intend to marry Mary, as has been proposed to him, 282; informed by Leicester of the plan of the marriage, and the share he has had in promoting it, 286; imprisons Norfolk, 287; plot to liberate Mary, 288; rising in the northern counties under Westmoreland and Northumberland, 289; they issue a proclamation in favour of catholic worship, 290; and solicit the aid of the catholic lords, 292; they flee into Scotland, 293; another rising under Leonard Dacres, who is defeated by lord Hunsdon, 295; death of Murray, the regent, 296; Elizabeth orders Scroop and Sussex to enter Scotland, 297; assents to a regent's being chosen, and that office bestowed on the earl of Lennox, *ibid.*; Pius V. issues a bull of excommunication against Elizabeth, 298; conspiracy detected in Norfolk, 300, *note*; she requests the emperor to induce the pope to revoke the excommunication, 300; seizes a Spanish squadron laden with money for the duke of Alva, 305; deliberations relative to Mary, 308; negotiations for her liberation, 311; they are broken off by a match being proposed between Elizabeth and the duke of Anjou, 312; bill against treason, 313; ditto against catholics, *ibid.*; the queen's dislike of the puritans, 314; she establishes the court of High Commission, 316; Sampson and

Humphreys imprisoned by it, 317; seven bills introduced into parliament by the puritans, for further reformation, *ibid.*; the members reprimanded by the queen, 319; negotiation of marriage with the duke of Anjou, *ibid.*; discontent of the majority of the people, 321; a conspiracy in favour of Mary detected, 322; the duke of Norfolk and others apprehended, *ibid.*; Norfolk is condemned, 327; Elizabeth's extreme reluctance to sign the warrant for his death, 328; he is executed at the petition of parliament, 329; Elizabeth refuses to put Mary to death, 330; the earl of Northumberland executed, 332; negotiation of marriage with the duke of Alençon, 333; Elizabeth sends Killegrew to Scotland to offer to deliver up Mary to the regent, 337; is reconciled with the duke of Alva, 346; rejects the sovereignty of Holland, offered her by the States, 347; receives proposals of marriage from Anjou, 351; is captivated by the address of his negotiator, Simier, *ibid.*; is visited by the duke himself, 352; objects to conclude the marriage in consequence of his accepting the sovereignty of Flanders, 354; but afterwards gives him a written promise, 355; but again recalls her consent, 356; Anjou's departure, 358; and death, 359; O'Neil's rebellion in Ireland, 360; failure of Essex's project to colonize the island with English, 362; persecutions of the puritans, 368; of the catholics, 372; new penal enactments against them, 377; Elizabeth's interview with Campion, the catholic missionary, 381; persecution of the anabaptists, 385; her disquietude relative to the queen of Scots, 387; new deliberations concerning her, 392; Mary's letter to Elizabeth, 397; Elizabeth alarmed by report of conspiracies, 401; the negotiations for Mary's liberation frustrated by the perfidy of Gray, 408; statute against treasons, 409; motions for further reformation in religion, 410; penal statutes against catholics, 411; who petition against them without effect, 417; the earl of Arundel imprisoned for life, 423; treaty between Elizabeth and the Belgian insurgents, 428; Elizabeth and James enter into a treaty to support the reformed faith, 431; she quarrels with Leicester for his aspiring to the supreme command in the Netherlands, 432; failure of his campaign there, 433; Babington's conspiracy against Elizabeth detected, 439; order for Mary's trial, 444; charges against her, 446; Elizabeth hesitates to sign the warrant for her death, 451; she eludes the request of the king of France in favour of Mary, 454; and that of James, 456; signs the warrant, 457; but suggests that Mary should be privately assassinated, 458; Mary's execution, 463; Elizabeth's pretended grief on being informed of it, 469; punishes the ministers who had executed her orders, but restores them all to their places, except secretary Davison, 470; appeases the kings of Scotland and France, 472; knights sir Francis Drake after his circumnavigation of the globe, 478; desertions from the army in Holland, 480; loss of Sluys, 483; disputes between Leicester and the Hollanders, 485; sir Charles Hatton made chancellor, 487; Philip prepares to invade England, 488; preparations on the part of the English, 491; an army under lord Hunsdon, another under Leicester, *ibid.*; naval preparations, 492; Elizabeth applies for aid to the king of Scots, 493; conduct of

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 ———, Lettice, countess of, widow of the preceding and daughter of sir Francis Knollys, marries the earl of Leicester, v. 363, *note*.
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- , Frances Howard, countess of, her dislike towards her husband, vi. 102; is admired by prince Henry, and viscount Rochester, 103; favours the latter, *ibid.*; her violence against sir Thomas Overbury for attempting to dissuade Rochester from marrying her, *ibid.*; obtains a divorce on the plea of the earl's natural incapacity, and marries Rochester, who is made earl of Somerset, 104; accused of having procured poison and caused it to be administered to Overbury, 110; is convicted and sentenced to death, 114; but pardoned, *ibid.*
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- , king of East Anglia, murdered by Offa, i. 132.
- , son of Ethelwulf, succeeds his brother Ethelbald, i. 165.
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- Ethelred, king of Mercia, succeeds his brother Wulphere, i. 124; attacks Lothaire, king of Kent, and burns Rochester, *ibid.*; abdicates in favour of his nephew Cenred, 125.
- , third son of Ethelwulf, succeeds his brother Ethelbert, i. 167; defeats the Danes, 172.
- , brother of Edward the Martyr, succeeds him, i. 251; his mother's severity towards him, *ibid.*; calamities during his reign, 252; invasions of the Northmen, *ibid.*; purchases the departure of Justin and Gurthmund, 253; Sweyn and Olave's invasion, 254; their departure, 255; Ethelred devastates Cumberland and the Isle of Man, 256; other invasions, *ibid.*; Ethelred marries Emma, daughter of the duke of Normandy, *ibid.*; massacre of the Danes in England, 257; Sweyn returns and avenges the murder of his countrymen, 259; ravages of the Danes, *ibid.*; distress of the English, 262; origin of annual taxation, 263; Ethelred flees to the Isle of Wight, 266; returns, 267; massacres the Danish thanes, 268; disobedience of his son Edmund, *ibid.*; Canute's invasion, *ibid.*; Ethelred dies, 270; is succeeded by Edmund, 271.
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- Exeter, city of, refuses submission to William the Conqueror, but is reduced by him, i. 397.
- , Henry Holand, duke of, left for dead at the battle of Barnet, iii. 539; his subsequent fate, 543.
- , countess of, accused by lady Lake and her daughter, of an incestuous amour with lord Roos, her husband's grandson, vi. 160; she appeals to the star-chamber, *ibid.*; and sir Thomas and lady Lake are fined, 161.
- Fairfax, sir Thomas, appointed to the chief command of the parliamentary army, on its being re-modelled, vi. 498; obtains leave to retain Cromwell in his commission, 526; defeats Charles at the battle of Naseby, 527; defeats the forces under Goring at Lamport, 530; besieges Exeter, 536; the royal army capitulates to him, 552; his character, 570; governed by Cromwell, 571; marches to London, 584; publishes a remonstrance to the army, to suppress a mutiny, 593; averse to the plan of bringing the king to trial, 614; refuses to attend the meetings of the commissioners, 625; refuses to take the oath approving the king's trial, vii. 4; presents to parliament a plan of the intended constitution, 10; marches with Cromwell against the mutinous regiments, 13; disapproves of war with the Scots, 41; objects to the council of state, *ibid.*; resigns his commission, 42; appears again in parliament after Cromwell's death, 289; espouses the royalist cause, and joins Monk, 320.
- Falconberg, lord, Cromwell's son-in-law, attends the new house of lords called by the protector, vii. 252; intercedes for sir H. Slingsby, 262; sent to compliment Louis XIV. 266; is one of a military council formed to support Richard Cromwell, 294.
- Falkland, Carey, viscount, succeeds St. John as deputy of Ireland, and publishes a menacing proclamation against catholics, vi. 149; his perplexity to provide for the troops, 333; recalled, to make way for Wentworth, 334.
- Falstaff, sir John, defeats the earl of Clermont at Rove-ray, iii. 408; disgraced for cowardice at Patay, 414.
- Famine, dreadful one, for three years, in the reign of Edward II. ii. 515; famine and pestilence in England and France for two years (1439), iii. 427.
- Fawkes, Guy, engaged by Winter as an auxiliary in the gunpowder-plot, vi. 32; acts as the conspirators' servant, and keeps watch while they work at the mine, 36; hires the cellar under the house of lords, 38; the office of firing the mine allotted to him, 45; is seen in the cellar by the chancellor and lord Mounteagle, 53; is apprehended by sir T. Knevet, *ibid.*; his resolution when examined in the presence of the king, *ibid.*; executed with several of the other conspirators, 56.
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- Felton, a catholic gentleman, obtains from the Spanish ambassador copies of Pius V.'s bull against Elizabeth, v. 299; executed for publishing them, *ibid.*
- , J. assassinate Villiers, duke of Buckingham, vi. 283; is executed, 286.
- Feudal system, origin of, i. 338; lord and vassal, 339; homage paid by vassals, *ibid.*; two classes of vassals, 340; divisions of lands, 341; military service, 343; firdwite, 344; purveyance, 345; heriots, *ibid.*
- Feverham, lord, sent to negotiate a peace between Louis XIV. and Holland, viii. 23; disbands the royal army, just before James's flight, 496; arrested by William, 501.
- Fiennes, Nathaniel, governor of Bristol, yields up that place to prince Rupert, vi. 462; tried by a court-martial, condemned, but pardoned, *ibid.*, *note*.
- Finch, sir J., lord chief justice, gets the courts to decide in favour of the legality of ship-money, vi. 329; impeached of high treason and escapes to Holland, 386.
- Fines and weirs of the Anglo-Saxons, i. 368.
- Fire of London, the great, vii. 459; idle story of the cocks of the Islington water-works having been turned and the keys carried away, *ibid.*; progress of the conflagration, 460; exertions of the king, 461; termination of the fire, *ibid.*; its extent, 462; report of a second attempt by the papists to set fire to the city, viii. 110.
- Fisher, bishop of Rochester, opposes Henry VIII.'s divorce, iv. 208; accused of conniving at Elizabeth Barton's supposed conspiracy, *ibid.*; he and sir Thomas More sent to the Tower, 212; his trial and execution, 218.
- Fitz-Arthur, Asceline, interrupts the funeral of William I. at Caen, i. 449.
- Fitz-Harris, an Irish adventurer, his history, viii. 204; he and Everard compose a libel against Charles II. 268; he is betrayed by the latter and sent to the Tower, *ibid.*; impeached by the commons, 206; the impeachment rejected by the lords, 207; he is tried and executed, 212.
- Fitz-Osbern, Norman baron, joint regent of England with bishop Odo, i. 392.
- Fitz-Osbert, William, a demagogue, excites the populace of London to insurrection in the reign of Richard I. ii. 201; is hanged, 202.
- Five-mile act, the, prohibiting non-conforming ministers to come within five miles of towns sending members to parliament, vii. 451.
- Flagellants, sect of, in the reign of Edward III. iii. 69.
- Flambard, Ralf, bishop of Durham and minister to William Rufus, his iniquitous character, i. 475; imprisoned in the Tower by Henry, i. 493; escapes to Normandy, 494.
- Flanders, invaded by Philip Augustus, ii. 238; by

- Louis XIV. who takes Valenciennes, Cambray, and St. Omer, vii. 16.
- Flanders, Margaret, countess of, demands from Henry III. 40,000 marks, the arrears for military services, ii. 392; the king retaliates by seizing Flemish manufactures, *ibid.*; her son Guy meets Edward I. at Montreal, where they adjust their differences, 393.
- Fleetwood, marries Mrs. Ireton, Cromwell's daughter, vii. 99; supersedes Lambert as deputy of Ireland, *ibid.*; wishes to resign, 164; opposes Cromwell's plans for changing the government, 233, 239; assents to the succession of Richard Cromwell, but endeavours to obtain for himself the sole command of the army, 283; consults with his party how to reduce Richard's authority, 294; holds for a while the authority of the state after Richard's deposition, 297; his power limited by the republicans, 303; the officers demand that the unrestricted command of the army be given to him, 309; he is made commander-in-chief, 312; surrenders his commission to the speaker, 320.
- Floyd, a catholic barrister, fined and sentenced to imprisonment for uttering disrespectful language against the Palatine, vi. 183.
- Forest, pleas of the, ii. 134.
- , Dr., confessor to Catherine of Arragon, burnt, iv. 270.
- Fortescue, sir John, writes a treatise in proof of the claims of the house of York, which procures his pardon from Edward IV. iii. 546; his work on the laws of England, 547, *note*.
- Fox, George, founder of the quakers, account of, vii. 224.
- France. See the names of the different kings.
- Francis I. succeeds Louis XII. iv. 36; enters Lombardy, 42; reduces Milan and restores the ascendancy of the French power in Italy, *ibid.*; his son affianced to Mary, the daughter of Henry VIII. 43; becomes a candidate for the imperial crown, 52; his interview with Henry VIII. near Ardres, 56; makes war upon Charles V. 62; Wolsey acts as arbitrator between them, 63; league formed against him by Henry and the emperor, 65; enters into a treaty with the earl of Desmond, 70; urges the Scots to war with England, 71; his successes in Italy, 79; the French driven from Italy, 80; Francis taken prisoner at the battle of Pavia, 84; is carried to Spain, 90; obtains his release by the treaty of Madrid, 92; his duplicity on that occasion, 93; breaks his faith with Charles, 94; wishes to espouse Henry's daughter, Mary, though contracted to the emperor's sister, Leonora, 125; conferences with Henry, 126; treaties with ditto, 128; interview with Henry at Boulogne, 188; anxious for Henry's reconciliation with the pope, 198; his interview with Clement VII. 199; his son, the duke of Orleans, married to Catherine of Medicis, *ibid.*; the emperor and Henry invade France, 333; peace concluded with the former, 335; Francis sends a fleet against England, 336; concludes a peace with Henry, and agrees to pay his pension, 338; his melancholy at receiving intelligence of his death, 378; dies about two months after, *ibid.*
- II. grandson of the preceding, marries Mary Stuart, queen of Scots, v. 163; succeeds his father, Henry II. 178; league formed against him by Antoine de Bourbon, &c. *ibid.*; the conspiracy sup-
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- Frederic, elector palatine, marries Elizabeth, daughter of James I. vi. 98; accepts the crown of Bohemia, 173; loses his dominions and returns to the Hague, 175; Louis XIII. refuses to join with England in recovering the palatine, 264; Gustavus Adolphus undertakes to replace Frederic on the throne, but afterwards changes his views, 307; Frederic dies at Mentz, *ibid.*
- Friars, orders of, attacked by Fitz-Ralph, archbishop of Armagh, and Wycliffe, iii. 158.
- Gardiner, Stephen, Wolsey's secretary, sent with Fox to demand the restoration of Ravenna to the pope, iv. 137; made secretary to Henry VIII. 166; excluded by Henry from the number of his executors, 350; opposes the religious innovations in the reign of Edward VI. 386; imprisoned, 388; preaches before the young king, and afterwards sent to the Tower, 394; attempts to intimidate him, 431; carried before the council, 432; deprived of his see, *ibid.*; liberated by Mary and made chancellor, v. 16; crowns her, 17; favours her proposed marriage with Courteney, 21; opposes her marriage with Philip, 24; saves Elizabeth and Devonshire when arrested for conspiracy, 59; preaches a sermon lamenting his former conduct, 72; was not the originator of the persecutions against the reformers, 82; his death, 104.
- Garnet, the jesuit, condemns Catesby's plot against James I. vi. 43; the plot revealed to him, 47; attempts to prevent it, 48; is apprehended, 57; his examination, 58; confession, 59; trial, 60; and execution, 63.
- Gascoign, sir T., he and several of his family tried for a conspiracy against Charles II. viii. 157.
- Gauden, Dr., his claims to be regarded as the real author of Ikon Basilike, vi. 665.
- Gaunt, or Ghent, John of, see *Lancaster*.
- Gavelkind, an Irish tenure, explanation of, ii. 95.
- Gaveston, Piers de, favourite of Edward II., account of, ii. 487; recalled by Edward after his father's death, and made earl of Cornwall, 488; the barons petition for his banishment, 489; quits England, and proceeds to Ireland, of which he is appointed governor, 490; returns, 492; his insolence and extravagance, *ibid.*; again obliged to abscond, 493; the army committed to him, 494; shuts himself in Bamfborough, *ibid.*; departs for France, 497; returns and is taken prisoner, *ibid.*; is beheaded, 499.
- Gell, sir J., condemned to perpetual imprisonment for conspiring against the commonwealth government, vii. 84.
- Geoffry of Monmouth publishes his history of Britain in the reign of Henry I. i. 541.
- , earl of Anjou (*Plantagenet*), marries Matilda, daughter of Henry I. i. 156; declines assisting her against Stephen, ii. 26; bestows Normandy on his son (afterwards Henry II.), 29; bequeaths Anjou to his second son, 40.
- , natural son of Henry II. by Rosamond, made bishop of Lincoln, ii. 156; chosen to the see of York, but forbidden by Richard I. to reside in England, 188; arrested and released, 189.
- Gerfa, or reeve, office of, i. 333.

- Germanus, bishop of Auxerre, leads the Britons against the Picts and Scots, and defeats them, i. 63.
- Gesith, an officer among the Saxons, rank of, i. 351.
- Ghent taken by Louis XIV. viii. 33.
- Githa, Harold's mother, escapes to Flanders, i. 399.
- Glanville, Ranulf de, chief justiciary in the reign of Henry II. ii. 138.
- Glamorgan, earl of, see *Herbert*.
- Glastonbury, abbey of, founded by Ina, king of Wessex, i. 147.
- Glencairn, earl of, he and other Scotch royalists take up arms in favour of Charles II. during the protectorate, vii. 165; they severally submit to Monk after Morgan's defeat, 166; Glencairn is made chancellor of Scotland by Charles at the restoration, 382.
- Glendower, Owen, his history, iii. 301; rebels against Henry IV. *ibid.*; his successes, 302; forms an alliance with France, *ibid.*; his son Griffith defeated by the prince of Wales, 303; he is gradually subdued, and retires to the mountains, 304.
- Glocester, Robert, earl of, natural son of Henry I. by his mistress Nesta, swears fealty to Stephen, ii. 5; takes him prisoner at the battle of Lincoln, 19; brings over his nephew (Henry II.) from Normandy, 26; account of his mother, 103, *note*.
- , Gilbert Clare, earl of, joins the party of the earl of Leicester against Henry III. ii. 335; one of those named by Henry to appoint a council, 344; his defection from Leicester, 349; aids prince Edward to escape, 350; chooses their leader by the factious citizens of London, but submits to the king on condition of pardon, 357.
- , Thomas, duke of, youngest son of Edward III. iii. 203; plots against his nephew, Richard II. 206; marches with an army against London, 214; complains of being suspected of aspiring to the crown, 218; refuses to pardon sir Simon Burley, 222; retires from the administration, 225.
- , Humphrey, duke of, brother to Henry V. appointed guardian of the kingdom, iii. 380; claims the regency, 389; allowed only the title of president of the council, 390; marries Jacqueline of Bavaria, 398; quarrels with the duke of Brabant, her former husband, for the possession of her dominions, *ibid.*; formally accused of incontinence with Eleanor Cobham, 400; acknowledges her as his wife, *ibid.*; quarrels with his uncle Beaufort, bishop of Winchester, 402; arrested on a charge of high treason, 450; dies, *ibid.*
- , Richard, duke of, brother of Edward IV. quarrels with his brother Clarence, and marries the widow of Edward, son of Henry VI. iii. 547; assists the duke of Albany against Berwick, 560; his conduct on the king's death, 569; arrests the lords Gray and Rivers, 570; conducts his nephew, Edward V., back to Northampton, *ibid.*; afterwards to London, 571; is made protector, 572; arrests Hastings, Stanley, &c., 573; Hastings is put to death, *ibid.*; causes the executions of Rivers, Gray, &c. *ibid.*; takes her second son from the queen, and sends him to the Tower, 574; Buckingham's exertions in his favour, 578; Gloucester accepts the crown, 580. See *Richard III.*
- , Henry, duke of, son of Charles I. sent to his sister, the princess of Orange, vii. 129, *note*; his death, 403.
- Godfrey, sir Edmondbury, Titus Oates makes affidavit before him of the truth of his narrative, viii. 52; his friend Coleman implicated in the pretended conspiracy, 53; his mysterious death, 61; his body exposed to the public, 63; his funeral, 67; Bedloe's depositions as to the circumstances of his death, 74.
- Godmundham, pagan temple at, destroyed by Coiffi, the high-priest, i. 92.
- Godric, abbot of Croyland, sums extorted from, by Sweyn, i. 264; by Ethelred, *ibid.*
- Godwin, earl of Wessex, suspected of the murder of Alfred, brother to Edward the Confessor, i. 294; his daughter Editha marries Edward, 300; history of his son Sweyn, 301; rebels with his two sons, 303; banished, 305; returns with an armament, 306; restored to his earldom, 307; his death and character, 309; his son Harold, see *Harold II.*
- Gordon, lady Catherine, daughter of the earl of Huntley, married to Perkin Warbeck, iii. 645; taken prisoner by Henry VII. and made attendant to the queen, 650; afterwards married to sir Matthew Cradock, 651, *note*.
- Goring, colonel, governor of Portsmouth, refuses to accept a commission from parliament, and is besieged by their forces, vi. 440; a letter from him to the queen discovered, 477; he is defeated by Fairfax at Lamport, 530; advances against London, 604; removes to Colchester, *ibid.*; surrenders after the defeat of the Scots, 609; brought to trial, vii. 6.
- Gothrun, Danish leader, invades Wessex, i. 179; his treachery towards Alfred, *ibid.*; his fleet destroyed, 180; takes Chippingham, 182; capitulates to Alfred, 186; is baptized by the name of Athelstan, 187; retires to East Anglia, *ibid.*
- Gowrie, earl of, invites James VI. to his castle at Ruthven, and secures his person, v. 396; arrested and executed as a traitor, 406.
- Grafton, duke of, son of Charles II. and Castlemain, married by the king to Arlington's daughter, vii. 523.
- Graham, of Claverhouse, repelled in his attempt to suppress the insurrection of the covenanters, viii. 128.
- Gray, John de, bishop of Norwich, appointed to the see of Canterbury by John, ii. 222; removed by Innocent III. in favour of Stephen Langton, 224; made lord deputy in Ireland, 225, *note*.
- , lady Elizabeth, daughter of the duchess of Bedford and lord Rivers, privately married to Edward IV. iii. 513; she is acknowledged as queen and crowned, 514; marriages of her brothers and sisters, 515; her father created earl Rivers, 516; her father and brother taken at the battle of Edgecote and executed, 523; retires with her family to a sanctuary at Westminster, to screen herself from Gloucester, 571; Gloucester's proclamation against her, 574; she surrenders her second son to him, 575; prevailed upon by Richard to quit the sanctuary, 592; her daughter married to Henry VII. 612; she herself is confined by him, 618; a marriage proposed between her and James III. of Scots, 625.
- , lady Jane (grand-daughter of Mary, duchess of Suffolk, and sister to Henry VIII.), marries lord Guildford Dudley, iv. 467; her pedigree, 468, *note*; the succession to the throne altered in her favour by Edward VI. at the instigation of her father-in-law, Northumberland, 469; her character, v. 4; her accession to the crown announced to her, 5; is pro-

- claimed queen, 6; bishop Ridley preaches in her favour and against Mary, 10; the nobles, &c. begin to desert her cause and join Mary, *ibid.*; Mary proclaimed, 12; Northumberland arrested, 13; Jane not included by Mary in the list of state prisoners for trial, 18; her father, the duke of Suffolk, imprisoned in the Tower, 46 (see *Suffolk*); her and Dudley's execution ordered after Wyatt's rebellion, 54; executed, *ibid.*
- Gray, lady Catherine (sister to the preceding), divorced from the eldest son of the earl of Pembroke, and privately married to the earl of Hertford, v. 637; imprisoned by Elizabeth, and kept in the Tower till her death, 638.
- , lord, enters into a plot termed the 'Bye,' in the reign of James I. vi. 12; his eloquence at his trial, 16; he and his associates, Cobham and Markham, are pardoned, after being brought out for execution, 17.
- , sir Ralph, besieged by the earl of Warwick in Bamfborough castle, iii. 509; executed, *ibid.*
- Greek fire, ii. 175, *note*.
- Gregorivitch, Osep Napea, arrives from Russia on an embassy to Mary, v. 138.
- Gregory VII. i. 454; William I. refuses homage to him, 455.
- Grenville, sir J., brings a message from Charles to Monk, vii. 313; Monk's interview with him, 333; he delivers Charles' letter to the parliament, 338; receives a vote of thanks and a present of money, *ibid.*
- Grey, lord, Monmouth's associate, made prisoner at the battle of Sedgemoor, viii. 337; pardoned by James after making a confession of the Rye-house plot, &c. 360; seduces his sister-in-law, lady Henrietta Berkeley, *ibid. note*.
- Grindal, archbishop, succeeds Parker in the see of Canterbury, v. 370; loses Elizabeth's favour, and is ordered to resign, *ibid.*
- Grosseteste, Robert, bishop of Lincoln, account of ii. 382; his obedience to the spiritual, but firm resistance to the undue exercise of the temporal, power of Rome, 384.
- Guader, Ralph de, earl of Norfolk, conspires against William the Conqueror, i. 440.
- Gualo, the legate of Honorius III. excites the English against Louis VII. in his pretensions to the crown on the death of John, ii. 277; appointed guardian of Henry III., 383; returns to Rome, and is succeeded by Pandulf, 284.
- Guesclin, Du, employed against Pedro the Cruel, of Castile, iii. 94; taken prisoner at the battle of Navarrette, 97.
- Guise, duke of, uncle to Mary, queen of Scots, recalled from Italy by Henry II. after the defeat of the French at St. Quintin, v. 127; takes Calais from the English, 128; lays siege to Guisnes, 129; the government entrusted to him and the cardinal Lorraine, by Francis II. 179; plot of the huguenots to murder him, the king, &c., *ibid.*; becomes one of the leaders of the catholics against the huguenots, 198; his followers kill a number of persons in an affray at Vassy, *ibid. note*; defeats the insurgents in the battle of Dreux, 202; is assassinated by Poltrot, a huguenot deserter, 208.
- Guitmond, a Norman monk, refuses an English bishopric, i. 411.
- Gunpowder plot, first imagined by Catesby, vi. 31; the conspirators work at the mine, 36; they hire a cellar under the parliament house, 38; new associates added to their number, 41; their designs suspected, 42; the execution of the plot delayed by the proroguing of parliament, 43; plan of operations, 45; the plot revealed to the jesuit Garnet, 47; intimation of danger communicated to lord Montague, 49; doubts of the conspirators, 51; they resolve to persevere, 52; Fawkes detected in the cellar and arrested, 53; the other conspirators flee, 54; Catesby, Percy, and the two Wrights are slain, the others taken, 55; their examination, *ibid.*; trials, 56; and execution, 57; Garnet apprehended, *ibid.*; executed, 63. See *Catesby*, *Digby*, *Fawkes*, *Percy*, *Tresham*, and *Winter*.
- Guthrie, a Scotch protesting minister, one of the compilers of the "Causes of God's Wrath," executed, vii. 388.
- Gwin, Nell, mother of the first duke of St. Alban's, by Charles II. vii. 495.
- Habeas Corpus Act passed, viii. 119; chiefly in consequence of Shaftesbury's exertions, *ibid.*
- Hacket, a fanatic, believes himself John the Baptist, v. 519; he and two other enthusiasts, Arthington and Copping, sentenced as traitors, 520.
- Haco of Norway, sent by his father, Harold Harfagre, to Athelstan, i. 217.
- Hadrian, emperor, visits Britain, i. 39; builds a military wall, 40.
- Hæretico comburendo, statute de, made in the reign of Henry IV. iii. 327; additional statute, 330; abolished in the reign of Charles II. viii. 14, *note*.
- Hales, serjeant, removed from the commons by Hyde, by being made chief baron of the exchequer, vii. 364.
- Halidon Hill, battle of, Edward III. defeats the Scots, iv. 21.
- Halifax, earl of, opposes the Exclusion bill, viii. 170; address by the commons, for his removal from the council, 171; proposes a bill of limitations, 193; publishes a tract concerning the succession, 199; dissuades the king from recalling the duke of York, 238; effects a reconciliation between the king and Monmouth, 265; his intrigues against the duke of York, 277; advises the king to give the American colonies local legislatures, 284; retained in office by James II. 298; opposes the establishment of a standing army, and the abolition of the test act, 354; removed from the council, *ibid.*; he with Godolphin and others advises James to remain, 487; commissioned to order him to quit Whitehall, 504.
- Hamilton, marquis of, sent by Charles I. to Scotland, as commissioner to suppress the covenant, vi. 353; dares not land, 360; advises the king to admit the reformers to his councils, 390; becomes suspected of treason and flees, 412; is liberated, restored to the king's favour, and becomes a leader of the royalists, 600; defeated by the parliamentary troops, and yields himself prisoner to Lambert, 607; fined 100,000*l.* vii. 7; executed, 8.
- Hammond, colonel, governor of the Isle of Wight, Charles I. committed to his custody, vi. 592; refuses to give him up to Eure, 615.
- Hamplen, John, resists the assessment of ship-money, vi. 331; during the civil wars, proposes to besiege

- Charles in Oxford, 457, slain in an action at Chalgrove, 260.
- Hampden, Mr., implicated in the Ryehouse plot, viii. 248; tried and fined, 271.
- Hanging in chains, first practised in the reign of Richard II. iii. 184, *note*.
- Harold Hardrada, king of Norway, assists Tostig against his brother Harold II. i. 325; lands in England, *ibid.*; slain at the battle of Stamford-bridge, 326.
- Harclay, sir Andrew, governor of Carlisle in the reign of Edward II., takes the earl of Lancaster prisoner, ii. 529; made earl of Carlisle, 532; executed for treasonable negotiations with the Scots, 533.
- Harcourt, count of, ambassador from France to the parliament, in the reign of Charles I. vi. 477.
- Hardecanut, succeeds Harold Harefoot, i. 298; orders the body of the latter to be decapitated, 294; his generosity and magnificence, 295; dies very suddenly, 296.
- Harfleur, siege of, iii. 343; surrenders to the English, 344.
- Harold Harefoot, succeeds Canute, to the exclusion of his half-brother Hardecanut, i. 288; puts Alfred, Ethelred's youngest son, to death, 291.
- Harold II. brother-in-law to Edward the Confessor, banished, i. 305; recovers his earldom, 307; his conquests in Wales, 313; suspected of the death of Edward the king's nephew, 316; his pretensions to the throne, *ibid.*; made prisoner in Normandy, 317; compelled to swear fealty to William, *ibid.*; succeeds Edward, 322; the crown claimed by William of Normandy, 324; his brother Tostig invades England, *ibid.*; battle of Stamford-bridge, 326; Tostig and the king of Norway slain, *ibid.*; his generosity towards Olave, the king's son, 327; William lands, 330; battle of Hastings, 332; death of Harold and his brothers, 335; his sons invade England, 401.
- Harrison, colonel, sent to remove Charles I. from Hurst Castle, vi. 625.
- , major-general, becomes leader of the anabaptists, vii. 148.
- Hastings, Danish pirate, lands in England, i. 196; his family made prisoners, 198; he retires to France, and obtains Chartres, *ibid.*
- , lord, favourite of Edward IV. iii. 567; arrested and executed by Gloucester, 573.
- Hatton, sir Christopher, made chancellor by Elizabeth, v. 487.
- Havre, surrendered to the French by the earl of Warwick, v. 209.
- Hawkins, sir John, opens a trade in slaves, in the reign of Elizabeth, v. 476; makes an expedition to the West Indies, with Drake, which fails, and they both die, 539.
- Haxey, sir Thomas, a clergyman, condemned for bringing forward a bill for the regulation of the household of Richard II. iii. 240.
- Hayward, dedicates his history of Richard III. to Essex, for which Elizabeth is desirous of imprisoning him, v. 575, *note*.
- Hazeling, one of the leaders of the opposition, refuses to obey Cromwell's summons to the upper house, vii. 253; denounces Lambert for an attempt to subvert the parliament, 309; is one of those excepted from the bill of indemnity, 353.
- Heiresses, marriages of, i. 432.
- Henderson, a presbyterian minister, employed by the Scots to convert Charles I., vi. 553.
- Hengham, sir Ralph de, grand justiciary, in the reign of Edward I. fined, ii. 474.
- Henrietta Maria, youngest daughter of Henry IV. of France, lord Kensington sent to negotiate a marriage between her and Charles, vi. 227; the treaty concluded, 228; married to Charles immediately on his accession, 235; her terrors excited by the disturbed state of the kingdom, 407; is anxious to return with her mother to France, 408; sent by the king to Holland for her safety, 430; sends him supplies of arms, 457; is impeached of high treason by Pym, 458; delivered of a daughter at Exeter, 490; comes to England to prevent the duke of York's marriage with Clarendon's daughter, vii. 405; desists rom her opposition, by Mazarin's advice, and receives the duchess, 406; dies at Colombe, near Paris, 517; had been privately married to Jermyn, earl of St. Alban's, *ibid.*
- Henry I. youngest son of the Conqueror, the portion assigned him by his father, i. 448; purchases part of the duchy of Normandy of his brother Robert, 462; assists Robert in retaining Rouen, 463; besieged by his brothers at Mount St. Michel, 464; recovers part of his possessions, 465; hastens to Winchester on the death of Rufus, 489; is crowned, 490; his charter of liberties, *ibid.*; reforms his conduct, 492; marries Matilda, daughter of Malcolm III. *ibid.*; imprisons Flambard, bishop of Durham, 493; Robert claims the crown, 494; treaty between them, 495; Henry punishes the disaffected barons, 496; invades Normandy, 498; ecclesiastical affairs, 500; hostilities in Normandy terminated, by mediation of the pope, 506; account of Juliana, Henry's daughter, 507; his son William shipwrecked, 509; war renewed in Normandy, 512; death of queen Matilda, 514; Henry marries Adelais of Louvain, *ibid.*; settles the crown on his daughter Matilda, 515; quarrels with her husband, Geoffry of Anjou, 518; his administration of justice, *ibid.*; restrains the followers of the court from pillaging, 521; relieves his tenants, 522; his oppressive mode of raising money, 523; applies vacant benefices to his own use, 524; his disputes with the pope relative to the admission of legates, 526; promises obedience to Innocent II. 529; his death, 530; character, 531; policy, *ibid.*; suspicious, revengeful, &c. 533; his ministers, 535; his prejudice against the English, 536; riches, 537; buildings erected by him, *ibid.*
- II. (Plantagenet), eldest son of the empress Matilda, brought to England by his uncle Robert, earl of Gloucester, ii. 26; his history, 29; adopted by Stephen, 30; is crowned, 36; his administration, 37; applies to Adrian IV. to absolve him from his oath to comply with his father's will, 40; his character, 41; rewards archbishop Theobald, 43; at his suggestion takes Thomas Becket as his minister, 45; makes him chancellor, *ibid.*; claims Toulouse, in into right of his queen, 47; takes Cahors, 48; retires Normandy, *ibid.*; makes peace with Louis VII. 49; raises Becket to the see of Canterbury, 51; becomes jealous of him, 53; attacks the privileges of the clergy, 60; reconciled with Becket, 63; compels him and the bishops to subscribe to the constitutions of

Clarendon, 64; endeavours to effect his ruin, 69; recalled from Normandy by a rising in Wales, 73; obliged to retire to Chester, 75; puts the Welsh hostages to death, *ibid.*; obtains Bretagne from Conan, earl of Richmond, by marrying his son Geoffry to the earl's daughter, 76; endeavours to reject Alexander III. 79; appeals to him against the constitutions of Clarendon, 80; concludes peace with Louis VII. 81; causes his eldest son, Henry, to be crowned, 82; becomes reconciled with Becket, 83; his perplexity on the archbishop's assassination, 90; his expedition to Ireland, 91; first project of his invasion, 101; permits Strongbow to proceed thither, 105; the earl surrenders to him the city of Dublin, 106; Henry lands at Waterford, *ibid.*; his sovereignty acknowledged by the synod of Cashel, 107; he returns to England, 108; entrusts the command to Hugh de Lacy, *ibid.*; his treaty with Roderic, king of Connaught, 109; makes his son John governor of Ireland, 111; becomes reconciled with the pope, 113; concessions in favour of the clergy, 115; account of his sons, 117; they retire from court with their mother, *ibid.*; the queen taken and imprisoned, 118; rebellion of his sons aided by Louis VII. 119; Henry's successes against the confederates, 120; returns in consequence of the invasion of the Scots, and rebellions at home, 122; makes a pilgrimage to Becket's tomb, *ibid.*; informed of the capture of the king of Scots, 124; proceeds to the relief of Rouen, 126; pardons his sons, who swear fealty to him, 127; submission of the king of Scots, *ibid.*; Henry returns to England with his son Henry, 129; chosen umpire between the kings of Castille and Navarre, 144; punishes a sect of fanatics called Cathari, 145; aids the christians in Asia, 146; prepares an expedition for the recovery of Jerusalem, 148; second rebellion of his sons, 149; plots against his life, 150; death of his son Henry, 151; of Geoffry, *ibid.*; the king takes Adalais, daughter of Louis, and betrothed to his son Richard, 152; consents to a peace with Louis, 154; dies, *ibid.*; account of his children, 155; his will, 157.

Henry III. eldest son of John, crowned at Gloucester, *ii.* 275; declared of age, 285; his disputes with Scotland, 292; with Wales, 295; the sons of Griffith become his vassals, 297; loss of Poitou, *ibid.*; expedition to Guienne, 300; defeated by Louis at Taillebourg, 301; his transactions with the popes, 304; his policy towards the Romish see, 305; papal concessions, 310; endeavours to place his second son, Edmund, on the throne of Sicily, which is offered him by Innocent IV. 312; his disputes with the barons, 317; takes Peter des Roches into favour, instead of Hubert de Burgh, afterwards obliged to remove him, 318; marries Eleanor of Provence, and takes her uncle, William de Valence, into favour, 319; favours his wife's relations, and his mother Isabella's children, 320; opposition of the barons, 321; Henry quarrels with the earl of Leicester, 322; takes Guienne from his brother Richard, and bestows it on his own son Edward, 323, *note*; the barons conspire, and assemble in parliament in armour, 324; obliged to submit to conditions from them, *ibid.*; acts of the committee of reform, 325; articles of reform, 329; quarrels among the barons, 330; Henry resumes the government, 331; applies to Alexander IV. to release

him from his oath to comply with the provisions of Oxford, 332; rebellion of the earls of Leicester and Gloucester, 335; the queen insulted while attempting to join her son at Windsor, *ibid.*; Henry endeavours to take the earl of Leicester, 336; the dispute between the king and Leicester submitted to the award of Louis IX. who decides in favour of the former, 337; the decision rejected by Leicester, and riots in consequence at London, 338; Henry, aided by the borderers, attacks many of the barons' fortresses, 340; takes Leicester's son prisoner, *ibid.*; defeated at Lewes by Leicester, and surrenders himself prisoner to him, 342; his son Edward and his nephew Henry retained as hostages, *ibid.*; he himself kept in custody by Leicester, who exercises the royal authority, 343; the queen raises an army in Flanders to oppose Leicester, but it is gradually disbanded, 345; Leicester's stipulations as preparatory to prince Edward's release, 347; his popularity, 348; he subdues the borderers, 349; is driven into Wales, 350; prince Edward, after defeating Leicester's son, defeats and kills the earl himself at the battle of Evesham, 353; Henry recovers his regal power, 354; congratulated by Clement IV. 358; dies at Westminster, 362; his character, 363; his children, 388.

Henry IV. (See *Lancaster, Henry, duke of.*) is crowned, *iii.* 275; proceedings of the new parliament, 276; the lords appellants degraded, 277; adjudges Richard to perpetual imprisonment, 278; insurrection of the lords appellants, 279; Richard's death, 281; the king's expedition against the Scots, 284; victory gained by the English at Homildon-hill, 286; rebellion of the Percies, 287; Hotspur and Douglas defeated at the battle of Shrewsbury, 291; submission and pardon of Northumberland, 292; a plot to contradict the death of Richard II. 293; insurrection in Yorkshire, 295; archbishop Scroop executed for joining in the rebellion, 297; Northumberland flees, 298; Owen Glendour's rebellion, 301; he is subdued, 303; transactions with France, 304; Henry defied by St. Pol, 305; challenged by the duke of Orleans, 307; takes prince James of Scotland, 309; enters into a treaty with the Armagnacs, 310; the succession settled, 312; character of the prince of Wales, 313; the king's ill health, 315; his death, 316.

— V. his character when prince of Wales, *iii.* 313; he succeeds his father, 332; insurrection of the Lollards, 333; Henry claims the crown of France, 337; his demands, 338; recalls his ambassadors, 339; prepares for war, *ibid.*; dismisses the French envoys, 340; the conspiracy of the earl of Cambridge, sir Thomas Grey, &c. discovered, 341; they are executed, 342; Henry lands in Normandy and reduces Harfleur, 343; advances to Maisoncelles, 347; the battle of Azincourt, 350; he returns to England, 355; is visited by the emperor Sigismund, 356; the duke of Bedford defeats the French fleet, 358; Henry and the emperor confer with the duke of Burgundy at Calais, 359; the king returns, 360; lands in Normandy, 361; in his absence the duke of Albany and earl Douglas cross the borders, 362; he reduces Lower Normandy, 364; besieges Rouen, 366; which surrenders to him, 368; conferences at Meulan, 369; after the negotiations are frustrated, Henry takes Pontoise, 371; an armistice concluded after the murder of the duke of Burgundy, 373;

Henry is made regent of France, 374; marries Catherine, daughter of Charles VI. *ibid.*; duke of Clarence defeated at Beaugé, 376; Henry returns to France, 377; and reduces Meaux, 378; his queen joins him at Bois de Vincennes, 379; his illness, *ibid.*; death, 380; character, 381; funeral, 382; his widow marries Owen Tudor, 433.

Henry VI. succeeds his father at the age of nine months, *iii.* 389; crowned in his eighth year, at Westminster, 421; afterwards at Paris, *ibid.*; returns to England, 422; death of his uncle, the duke of Bedford, 425; famine, 427; Harleour taken by the English, *ibid.*; Pontoise lost, 428; negotiations with France, *ibid.*; the instructions to the English envoys, 429, *note*; armistice, 430; truce with James II. of Scotland, 431; Henry's education, 434; he demands to be admitted to a share in the government, 435; marries Margaret of Anjou, 447; arrest and death of his uncle, Gloucester, 448; cedes Anjou and Maine, 453; loses Rouen, 454; and Normandy and Guienne, 456; public discontent, 457; duke of Suffolk impeached and banished, 460; Cade's rebellion, 465; the duke of York returns from Ireland, 468; proposed as heir-apparent, 469; his rebellious conduct, 470; ineffectual attempt made to recover Guienne, 472; birth of prince Edward, 474; the king's mental incapacity and York's ascendancy, *ibid.*; York made protector, 475; Henry recovers, 476; taken captive by York at the battle of St. Alban's, 478; relapses, and York is again made protector, 479; recovers again, 480; calls a council at Coventry, where York swears fealty to him, 481; reconciliation effected between the Lancastrians and Yorkists, 482; fresh dissensions, 483; Lancastrians defeated by the earl of Salisbury at Bloreheath, 484; Henry disperses the Yorkists, 485; they are attainted, 486; York's appeal to the nation, 487; Warwick lands in Kent and collects an army, *ibid.*; Henry made prisoner, 488; York lays claim to the crown, *ibid.*; a compromise made that he be acknowledged heir-apparent, 492; the Lancastrians raise an army and defeat the Yorkists at Wakefield, where the duke is slain, 493; the Lancastrians defeated at Mortimer's Cross, 494; the queen defeats the earl of Warwick at St. Alban's, by which Henry is liberated, *ibid.*; Edward duke of York proclaimed king, 496; the crown secured to Edward by the victory of Towton, and Henry escapes to the borders, 502; the queen obtains succours from France, 506; Henry finds an asylum in Merionethshire, 508; joins the Lancastrian party in another effort, *ibid.*; taken prisoner and conducted to the Tower, 510; his son marries Warwick's daughter, Anne, 531; he is liberated and restored to his crown by Warwick, 534; Clarence joins Edward on his return to England, 537; Henry's partisans defeated at the battle of Barnet, and Warwick slain, 539; Henry sent back to the Tower, 540; Margaret lands in England, *ibid.*; the Lancastrians defeated at Tewkesbury, and the queen made prisoner, and her son slain; 541; Henry is put to death, 542.

—VII. (See *Richmond, Henry, duke of*), his title to the crown considered, *iii.* 603; confines the young earl of Warwick in the Tower, 605; enters London after his victory at Bosworth, *ibid.*; is crowned, 606; settlement of the crown, 608; he

marries the princess Elizabeth, daughter of Edward IV. 611; dispensation for the marriage obtained from Innocent VIII. *ibid.*; lord Lovell's insurrection, 612; Henry makes a progress through the kingdom, 614; truce, for three years with Scotland, 615; birth of prince Arthur, *ibid.*; an impostor personates the earl of Warwick in Ireland, 616; and is proclaimed Edward VI. 618; Henry removes the real Warwick from the Tower, *ibid.*; imprisons the queen dowager, *ibid.*; the pretended Warwick is joined by the earl of Lincoln, 619; the insurgents defeated and Lincoln slain at the battle of Stoke, 621; the queen crowned, 622; peace with Scotland prolonged, and it is proposed that James III. should marry the queen dowager, 625; Henry acts as mediator between Charles VIII. and the duke of Bretagne, 627; sends assistance to Anne of Bretagne, 630; the English obtain a victory over the Flemings at Dixmude, *ibid.*; insurrection in Northumberland, 631; prepares for war against Charles VIII. 634; lands in France, 635; concludes a peace, 636; Perkin Warbeck personates the duke of York, second son of Edward IV. 637; Henry endeavours to seize his person, 639; his partisans executed, 640; Henry sends sir Edward Poyning to Ireland, as deputy, 642; James IV. of Scots and Warbeck invade England, 646; insurrection in Cornwall, 647; Henry makes peace with Scotland, 649; advances against Warbeck, who lands from Ireland, 650; takes his wife prisoner, *ibid.*; Warbeck submits, 651; obliged to read his confession publicly, *ibid.*; a second pretended earl of Warwick, 652; Warbeck and Warwick executed, 653; treaties with France, 655; with Scotland, 656; James IV. marries Margaret, Henry's eldest daughter, 657; prince Arthur marries Catharine of Arragon, 659; the prince dies, 660; Prince Henry contracted to his brother's widow, 661; death of the queen, *ibid.*; Henry conceives the design of marrying the queen dowager of Naples, *ibid.*; afterwards Margaret, duchess of Savoy, 662; Philip of Castile, and his queen obliged to land at Falmouth, *ibid.*; conditions extorted from him by Henry, *ibid.*; he compels him to give up the earl of Suffolk, *ibid.*; his oppressive methods of raising money, 664; his sickness and death, 666; his character, 667; charities, 669.

Henry VIII. contracted to Catherine, his brother Arthur's widow, while yet prince, *iii.* 661; his accession, *iv.* 2; marriage and coronation, 3; orders the arrest of Empson and Dudley, 7; his passion for amusements, 9; aids Julius II. against France, 14; claims from Louis XII. the restoration of the English territories in France, and sends an expedition to Guienne, 15; besieges Terouanne, 21; defeats the French at the battle of Spurs, 22; remonstrances made to him by James IV. of Scots, which lead to a rupture, 24; James invades England, 26; the Scots defeated, and James killed at the battle of Flodden, 29; Tournay surrenders to Henry, 32; his sister, Mary, marries Louis XII. *ibid.*; Maximilian offers him the duchy of Milan, and to adopt him as his successor, 43; Henry enters into a league with France against the Turks, 45; becomes a candidate for the imperial crown, 53; is visited by the new emperor, Charles V. at Canterbury, 53; his interview with Francis between Ardres and Guisnes, 56; visits the emperor at Wael, 58; accusation and execution

of the duke of Buckingham, 59; league between Henry, the emperor, and the pope against Francis, 65; the latter lays an embargo on English shipping, 67; Charles pays a second visit to England, and is contracted to the princess Mary, *ibid.*; Henry sends an army into France under the earl of Surrey, 69; Francis in retaliation excites dissensions in Ireland, 70; and Scotland, 71; Wolsey's embarrassments in raising money, 72; an invasion of the Scots repelled by the earl of Surrey, 74; the duke of Suffolk invades France, but he and the imperial general soon after disband their forces, 76; origin of the dissension between Henry and Charles, 82; the news of the battle of Pavia received with exultation in England, and it is proposed that Henry and the emperor shall invade France, 85; Henry defeated in his attempts to raise money, 86; quarrels with Charles, 87; makes peace with France, 89; urges Francis to violate his treaty with Charles, 93; origin of the reformation, 94; he attacks Luther's doctrines, 110; is declared defender of the faith, 111; answers Luther's apology, 113; his children by Catherine of Arragon, 117; his mistresses, 118; Mary Boleyn, *ibid.*; commencement of his attachment to Anne Boleyn, 119; forms the design of obtaining a divorce, 121; consults divines on the subject, 126; resolves to marry Anne Boleyn, 129; unpopularity of the divorce, 131; he applies to Clement VII. to grant it, 132; defies Charles, 134; project for obtaining a papal bull for the divorce, 137; Clement demurs to granting it, 138; commission to examine the validity of the dispensation, 139; cardinal Campeggio appointed legate, 141; the sweating sickness, 142; Henry's devotion during the calamity, 143; Campeggio arrives in England, 144; exhorts Catherine to retire to a convent, 146; Henry's speech in justification of his conduct, 147; questions touching the divorce proposed to canonists, 149; Anne Boleyn rules at court, 151; the suit for the divorce heard by the legates, 153; the court adjourned, 156; decline of Wolsey's influence, 158; his disgrace, 159; favours shown to him by Henry after his arrest, 161; his death, 165; the new cabinet, 166; sir Thomas More made chancellor, *ibid.*; attack on the immunities of the clergy, 167; the earl of Wiltshire, Anne Boleyn's father, sent to Clement to expedite the divorce, 169; opinions of the universities as to its legality, 171; letter to the pope to extort his consent, 174; his reply, 175; Henry begins to waver, 176; Cromwell's rise, 177; he confirms the king in his resolution, 178; Henry acknowledged as head of the church, 180; amates or first-fruits abolished, 185; the clergy forbidden to make constitutions, 186; Henry has an interview with Francis, 188; he marries Anne Boleyn, 190; Catherine's divorce pronounced by Cranmer, 194; birth of the princess Elizabeth, 197; Clement declares the divorce unjust, 201; the church of England separates from that of Rome, 202; statutes relative to ecclesiastical affairs, 203; and to the succession, 205; opposition to the king's assumption of supremacy in the church, 214; prosecutions, 216; execution of bishop Fisher, 218; and sir T. More, 221; papal bull against Henry, 222; nature of the supremacy, 225; Cromwell made vicar-general, 226; commission issued to the bishops, 227; dissolution of the lesser monasteries, 231; death of Catherine, 232; Anne Boleyn imprisoned, 235; her

trial, 239; execution, 244; Henry reconciled to his daughter, Mary, 246; death of the duke of Richmond, Henry's natural son, 248; insurrection in the north, 249; demands of the insurgents, 251; their leaders executed, 253; cardinal Pole appointed to negotiate with Henry, and to reconcile him to Rome, *ibid.*; a reward offered for his apprehension by Henry, 255; dissolution of the greater monasteries, 256; monastic property vested in the king, 259; consequences of this measure, 260; six new bishoprics established, 261; Henry makes advances to the German reformers, which they reject, 265; compiles a book of "Articles," 267; envoys arrive from the Lutheran princes, but return without effecting anything, 268; Henry condemns Lambert to death for heresy, 277; bull issued against him by the pope, 279; arrests cardinal Pole's brothers, who are executed, 281; Pole endeavours to excite the emperor and king of France against Henry, 282; orders the countess of Salisbury, Pole's mother, to be arrested, and two years afterwards to be executed, 285; recalls bishop Gardiner, 286; obtains the enactment of the statute of the six articles, 288; Cranmer's alarm at it, 289; endeavours to persuade the king to withdraw the article against celibacy of the clergy, 290; Henry solicits the hand of the duchess dowager of Longueville, 293; Anne of Cleves proposed to him by Cromwell as a wife, 294; his disappointment at her person, *ibid.*; marries her, 295; Cromwell's disgrace and arrest, 298; he is attainted, 299; Henry's contrivance for procuring a divorce, 300; the marriage pronounced void by a committee of prelates and divines, 301; Cromwell's execution, 303; executions of both catholics and protestants, 304; Henry marries Catherine Howard, 305; she is accused of incontinency, 306; condemned, 307; and executed, 308; the reading the scriptures restrained, 309; publication of a new doctrinal work, the "Erudition of a Christian Man," 310; Wales incorporated with England, 313; affairs in Ireland, 314; Kildare's rebellion, 315; he submits, 316; is imprisoned with his five uncles in the Tower, and they are all beheaded, *ibid.*; Ireland raised into a kingdom, 318; war with Scotland, 325; the duke of Norfolk defeats the Scots, 326; a marriage proposed between Henry's son, Edward, and the infant princess of Scotland, Mary Stuart, 327; it is broken off, 329; the earl of Hertford sent to invade Scotland, 331; progress of the war, *ibid.*; Henry's dissension with Francis, 332; he concludes a treaty with the emperor, *ibid.*; restores his daughter, Mary, to the succession, 333; he and Charles invade France, *ibid.*; lays siege to Boulogne, 334; Charles and Francis conclude peace by the treaty of Crespi, and Henry returns to England, 336; the French fleet insults the English coast, *ibid.*; peace concluded with Francis, 338; Henry's poverty, *ibid.*; various taxes and loans to supply the demands of the treasury, 339; adulteration of the coin, 340; Cranmer's enemies accuse him, and are imprisoned, 342; the queen, Catherine Parr, incurs Henry's displeasure by her favour towards the reformers, 344; his illness, 347; disgrace of Gardiner, and the arrest of the Howards, 349; the king's will, 350; execution of the earl of Surrey, 351; the duke of Norfolk attainted, 353; Henry's death, 355; character, 356; obsequiousness of the house of commons towards him, 360;

- influence of the crown in ecclesiastical matters, 361 ; extraordinary statutes passed in this reign, 363 ; prosecutions for treason, 365 ; his funeral, 373, *note*.
- Henry the Lion, duke of Saxony, marries Matilda, daughter of Henry II. ii. 155.
- , prince, second son of Henry II. marries Margaret, daughter of Louis VII. ii. 81 ; crowned, 82 ; crowned again with his wife, 117 ; demands possession of Normandy, and goes over to his father-in-law, *ibid.* ; enters into a compact with Louis against his father, 119 ; they surrender the castle of Dol, 120 ; lay siege to Rouen, 125 ; Henry is reconciled with his father, 129 ; returns with him to England, *ibid.* ; invades Aquitaine, his brother Richard's territory, 150 ; his death, 151.
- d'Almaine, son of Richard, earl of Cornwall, and king of the Romans, retained as a hostage, with his cousin Edward, by the earl of Leicester after the battle of Lewes, ii. 342 ; assassinated at Viterbo by Simon and Guy de Montfort, 361.
- II. of France, succeeds his father Francis I. iv. 378 ; declares war against Edward VI. 416 ; Boulogne surrendered to him, 425 ; refuses to contract Mary of Scots with Edward, 426 ; makes peace, *ibid.* ; contracts his daughter Elizabeth to Edward, 448 ; tries to prevent Mary's succession to the throne, v. 2.
- III. of France (see *Anjou*), succeeds his brother Charles IX. v. 342 ; sends Bellievre to remonstrate against the execution of Mary of Scots, 473 ; Guise makes himself master of the capital, and Henry orders him and his brother to be assassinated, 529 ; Henry is assassinated by Clement, a Dominican friar, 530.
- IV. of France (see *Navarre*), succeeds Henry III. v. 530 ; the catholic nobles compel him, on his accession, to engage not to suffer the reformed religion, *ibid.* ; supplied with money and troops by Elizabeth, 531 ; abjures the reformed religion, and thereby offends her, 533 ; refuses to give up Calais to her, 537 ; which is taken by the Spaniards, 538 ; makes peace with Spain, 554 ; publishes the edict of Nantes, 555 ; sends Sully on an embassy to James I. vi. 7 ; expostulates with James on the severity used against the catholics, 66 ; enters into a league for the expulsion of the Austrian power from the Netherlands, 121 ; is assassinated by Ravillac, *ibid.*
- Herbert, lord, his zeal in the cause of Charles I. vi. 537 ; made earl of Glamorgan, and sent to Ireland to treat with the catholics, 538 ; concludes a secret treaty, 539 ; Digby complains of the proceedings, and Glamorgan is imprisoned, 541 ; is released, and prepares to raise the siege of Chester, 546 ; disbands his troops, 547 ; Charles's letter to him, 561 ; his "Century of Inventions," 562, *note* ; account of his mission to Ireland, 656.
- , vice-admiral (earl of Torrington), escapes to Holland, where he has been promised the command of the Dutch fleet, viii. 455.
- Hereford, pillaged by the Welsh, in the reign of Edward the Confessor, i. 312.
- , Humphrey de Bohun, earl of, disobeys the order of Edward I. to proceed with a reinforcement to Guienne, ii. 460 ; a new constable appointed, 461 ; his son surrenders his estates, 468.
- Heretics, penal statutes against, first enacted in the reign of Henry IV. iii. 325 ; the statute de hæretico comburendo repealed, viii. 14, *note*.
- Hereward, son of the lord of Born, returns from Flanders, and plunders Peterborough, i. 414 ; besieged by William I. 415.
- Hertford, earl of, uncle to Edward VI. invades Scotland, iv. 331 ; made protector, 370 ; created duke of Somerset, 373. See *Somerset*.
- Hewet, Dr., brought to trial as a traitor to Cromwell's government, vii. 261 ; executed notwithstanding the intercession of the protector's daughter, 262.
- High commission, court of, see *Courts*.
- Hispaniola, Venables's expedition against, during the protectorate, vii. 199 ; its failure, 200.
- Holand, sir John, half-brother to Richard II. strangles a friar who had given the king the particulars of a conspiracy, iii. 200 ; assassinate the son of the earl of Stafford, 202 ; his property confiscated, *ibid.* ; is afterwards pardoned and marries the daughter of the duke of Lancaster, *ibid.*
- Holland, negotiations with the English commonwealth, vii. 114 ; plan for incorporating the two countries into one republic, 115 ; action between Monk and Van Tromp, 168 ; Blake defeats Van Tromp, 169 ; another victory obtained by Monk, 171 ; peace signed between Cromwell and the ambassadors, 172 ; losses of the Dutch, 174 ; they injure the trade of the English merchants, 431 ; De Witt, the leader of the Louvenstein faction, determines to maintain the commercial superiority of Holland against England, 433 ; hostilities commenced, *ibid.* ; De Ruyter captures many English merchantmen in the West Indies, 434 ; Sandwich proceeds against two Dutch fleets which had taken shelter in the neutral harbour of Bergen, 448 ; Louis XIV. unites with the Dutch, 452 ; four days' battle between De Ruyter, de Witt, and prince Rupert, and Monk, 453 ; the Dutch fleet enters the Thames, 472 ; Temple arrives at the Hague to propose that Holland should unite with Spain and England against France, 489 ; Flanders ceded to Louis, 491 ; failure of the English in an attack on the Dutch fleet, 529 ; England and France declare war against the States, 533 ; de Ruyter defeated by the duke of York in the engagement of Southwold Bay, 535 ; actions at sea with prince Rupert, 557 ; the States make proposals of peace to Charles II. 569 ; terms of the treaty, 570 ; the office of Stadtholder conferred on the prince of Orange, 571 ; congress at Nimeguen, viii. 2 ; efforts of the prince to draw England into the war against France, *ibid.* ; project of a treaty of peace, 22 ; new ditto, 35 ; the States agree with France, 39 ; peace of Nimeguen, 43 ; battle of St. Denis, between the prince of Orange and the duke of Luxembourg, 44 ; manifesto presented by the Dutch ambassador remonstrating with Charles, 192 ; but it is disavowed by the States, and traced to Sunderland and Sidney, 193. See *Netherlands* ; *Orange*.
- , earl of, raises forces against the parliament, after espousing its cause against Charles I. vi. 608 ; brought to trial after the king's death, vii. 6 ; executed, 8.
- Hollis and others, leaders of the presbyterian party, to be excluded from parliament, vi. 579 ; he and his colleagues resume the ascendancy, 585 ; refuse to yield to the lords, who vote for a personal treaty with Charles, 605.

- Holmes, sir Robert, sent by the African company to recover Cape Corse, vii. 433; dispatched to intercept the Dutch fleet, but fails in the attempt, 329.
- Holstein, Adolphus, duke of, offers himself as a suitor to queen Elizabeth, v. 191; order of the garter bestowed on him, 192.
- Homicide, punishment of, among the Anglo-Saxons, i. 367.
- Honorius III. successor of Innocent III. declares himself guardian of Henry III. ii. 283; his instructions to his legate, Pandulf, 285.
- Hooper, Joan, his objections on being named to the see of Gloucester by Edward VI. iv. 444; burnt for heresy in the reign of Mary, v. 85.
- Hotham, John, bishop of Ely, sent by Edward II. to treat with the Irish, ii. 509.
- , sir J., refuses to surrender up Hull to Charles I. and is proclaimed a traitor, vi. 436; executed with his son, 512, *note*.
- Hotspur, Henry, son of the earl of Northumberland, fights at the battle of Homildon-hill, iii. 285; marries the sister of sir Edmund Mortimer, 288; joins Douglas and the Scots, and marches into Wales, *ibid.*; he and his father send a defiance to Henry IV. 289; slain at the battle of Shrewsbury, 291.
- Hough, Dr., chosen president of Magdalen college, Oxford, in opposition to Parker, viii. 406; appeals from the sentence of annulment, 408; he and twenty-five of the fellows incapacitated for holding church preferment, 409; they are restored, 463.
- Howard, Catherine, daughter of lord Edmund Howard, becomes the fifth wife of Henry VIII. iv. 305; regarded with enmity by the reformers, 306; accused of incontinency with Dereham and Culpeper, who are executed, *ibid.*; condemned, 307; executed with lady Rochford, 308.
- , sir Edward, lord admiral, son of the earl of Surrey, commands a fleet against France, iv. 15; vows to revenge the death of sir Thomas Knyvet, 17; killed while blockading Brest, 20.
- , lord Thomas, brother of the preceding, succeeds him as admiral, iv. 20; commands jointly with his father, the English at the battle of Flodden, 30; created earl of Surrey, 33. See *Surrey*.
- , of Effingham, lord, commands the fleet sent to oppose the Spanish armada, v. 492.
- , lord, of Escrick, employed by the prince of Orange in promoting his intrigues in England, discovered and imprisoned, vii. 576; committed to the Tower on a charge by Fitzharris, viii. 218; maintains a correspondence between the Ryehouse conspirators and the Whig leaders, 248; sent to the Tower, 250; becomes witness against lord Russell, 251.
- Hubert de Burgh. See *Burgh*.
- Huguenots, French: the king of Navarre, Condé, Coligni, &c. enter into an association with the reformers, and plot against the court, v. 179; Condé fortifies Orleans on the part of the insurgents, 198; troops under Warwick sent to their aid by Elizabeth, 200; Rouen taken by the royal army, 201; the insurgents defeated by the duke of Guise at the battle of Dreux, 202; the duke of Guise assassinated by a huguenot, 208; treaty of peace signed between the leaders of the two parties, 209; Condé proposes to surprise the court at Monceaux, the French and Spanish courts being reported to have entered into a league to extirpate the protestants, 303; three thousand insurgents join the prince of Orange, against Alva, 304; Condé receives aid from Elizabeth, 306; death of Condé and defeat of Coligni, *ibid.*; assassination of Coligni and general massacre of the protestants at Paris, 334; the protestants besieged in La Rochelle, 340; after another civil war the protestants recover the concessions that had been revoked, 343; Charles I. enters into negotiations with the French protestants, and engages to defend their liberties, vi. 265; they revolt, 268.
- Hull, Charles I. hopes to induce Sir J. Hotham to yield it up to him, vii. 436; on his refusing him admittance proclaims him a traitor, *ibid.*
- Hunsdon, lord, defeats Leonard Dacres, who makes a rising in favour of Mary of Scots, v. 296; appointed to command the army intended for the queen's defence, in case of the Spaniards effecting an invasion, 491.
- Huntley, marquis of, sentenced to death by the Scots parliament, at the petition of the kirk, vii. 18.
- Hussites, a crusade formed against, headed by cardinal Beaufort, iii. 437.
- Hyde, sir Edward, made chancellor of the exchequer, by Charles I. vii. 211; enjoys the confidence of Charles II. *ibid.*; advises the restoration of episcopacy, 361; is made earl of Clarendon, 367. See *Clarendon*.
- Hyde, made earl of Rochester, viii. 279. See *Rochester*.
- Jacqueline of Bavaria, countess of Hainault, her history, iii. 397; marries Humphry, duke of Gloucester, 398; her possessions claimed by her former husband, *ibid.*; escapes from Ghent, 399; leaves the duke, and marries Frank of Bursellen, 400.
- Jaffa, siege of, ii. 18; recovered by Richard I. 182.
- Jamaica, ceded to England during the protectorate, vii. 200.
- James I. of Scotland, enters into a league with France, iii. 331; abandons the siege of Roxburgh, 433; is assassinated in the Dominican convent at Perth, *ibid.*, *note*.
- II. of Scotland, killed by the bursting of a cannon, iii. 505, *note*; Edward IV. deceives his widow by a pretended offer of marriage, *ibid.*
- III. of Scotland, quarrels with Edward IV. iii. 559; his patronage of artists, 560; arrests his own brothers, the duke of Albany and the earl of Mar, *ibid.*; several of his favourites executed by the rebellious barons, and James himself conveyed a prisoner to Edinburgh, 561; liberated by his brother Albany, 562; his eldest son affianced to Anne de la Pole, 594; forms a truce with Henry VII. 615; proposed that he shall marry the queen dowager of England, 625.
- IV. of Scotland, receives Perkin Warbeck, iii. 645; declares war against Henry VII. but is pacified, and offers to marry the princess Margaret, 656; their nuptials celebrated, 657; claims from Henry VIII. the jewels bequeathed by her father to his consort, iv. 23; demands justice for the death of Andrew Barton, 24; favours the French, 25; invades England, 26; slain at the battle of Flodden, 30.
- V. of Scotland, succeeds his father James IV. while an infant, iv. 40; shakes off the authority of

- his father-in-law, the earl of Angus, and drives him into England, 319; solicits his uncle, Henry VIII.'s daughter, Mary, in marriage, 320; marries Madeleine, daughter of Francis I. who dies shortly after, 321; marries Mary, duchess dowager of Longueville, (daughter of the duke of Guise), *ibid.*; enters into negotiations with Francis and Charles V. against Henry, 322; refuses to shake off the papal authority, to which he is advised by Henry, through his ambassador, Sir R. Sadler, 323; refuses an interview proposed to him by Henry, 325; hostilities commenced, and the Scots defeat the English, *ibid.*; James is defeated by the duke of Norfolk, 326; dies soon after, just after the birth of his daughter Mary, *ibid.*
- James VI. of Scotland, son of Darnley and Mary Stuart, his birth, v. 232; crowned while an infant, 259; assumes the government, which the regent Morton is obliged to resign, 359; Morton regains his power as head of the council, *ibid.*; by the advice of D'Aubigny his favourite, asserts his independence, and arrests Morton as the murderer of his father, 390; listens to the overtures of Creighton, a Scottish jesuit, who proceeds to France to consult with the duke of Guise, &c. on James' interests, 394; it is proposed that he and his mother shall be joint king and queen, 395; Philip II. sends him a sum of money by Creighton, *ibid.*; he is invited by the earl of Gowrie to his castle, and detained prisoner, 396; recovers the royal authority, 398; new consultations held by Guise and his friends in France, who propose that they and James shall invade England at the same time to release Mary, 399; James punishes Gowrie and his adherents, 406; sends Gray to England to negotiate for Mary's liberation, 407; his insincerity proved by the private negotiations of his ambassador with Elizabeth, from whom he obtains supplies, 409; he abandons his mother's cause, 419; detects a plot of Wotton, the English ambassador, to convey him to England, 430; consents to a treaty with Elizabeth to support the reformed faith, 431; writes to her, entreating her to spare his mother's life, 456; expresses great sorrow and indignation on her death, but is appeased on Elizabeth's assuring him that it was not ordered by her, but by her ministers, 472; consents to aid Elizabeth against the Spaniards, 493; she refuses to admit his right to the succession, 559; he fears that Arabella Stuart will be set up as a competitor against him for the English throne, and wishes to marry her to the duke of Lennox, *ibid.*; Essex applies to him for aid, 578; Cecil enters into a secret engagement with him to pave his way to the throne, 595; Northumberland, Cobham, and Raleigh, form a party in his favour, 602; James sees through Cecil's designs, and reprimands him, 603; is appointed her successor by Elizabeth, on her death bed, 612. See *James I.*
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- XIV. enters into an alliance with Cromwell, vii. 249; seeks to cultivate the friendship of Charles II. by marrying his brother the duke of Orleans to Charles' sister, 407; enters into a negotiation with De Witt, 452; claims part of the Netherlands in right of his consort, the daughter of Philip IV. 453; declares war against England, *ibid.*; employs agents to intrigue with the catholics in Ireland, 457; opens a secret negotiation with Charles, in which each promises to abstain from hostilities, 471; invades Flanders, 476; terms offered by him to Spain, 488; he overruns Franche Comté, 489; Charles II. solicits pecuniary aid from him, 498; contents of the secret treaty between Louis and Charles, 510; they declare war against Holland, 533; are joined by Sweden, 534; Louis' conquests in Holland, 538; his demands from the States, 539; reduces Maestricht, 555; offers Charles money towards equipping a fleet, 569; purchases his neutrality, 574; his letter to Charles on the death of the duchess of Orleans, 634; grants the domain of Aubigne to Madame de Querouaille, 635; agrees to pay a yearly pension of 100,000*l.* to Charles, viii. 3; invades the Spanish Netherlands, and takes Valenciennes, 15; his further conquests, 16; he takes Cambray and St. Omer, *ibid.*; conferences respecting peace, and terms proposed by Charles as arbitrator, 23; Louis instigated by Louvois to prosecute the war, 24; he endeavours to bribe Charles and his ministers, 26; and intrigues with the popular party in England, 27; also with the Dutch, 29; takes Ghent and Ipres, 33; receives a new project of peace from Charles, which he rejects, 35; Holland consents to his terms, 39; he concludes a secret treaty with Charles, 40; the treaty with Holland broken off, 42; the battle of St. Denis fought after the treaty of peace is signed at Nimègue, 44; the Dutch save the fortress of Mons, 45; Louis breaks the confederacy raised against him by England, and peace is agreed to by all the powers, 46; engages to pay Charles a subsidy, that he may withdraw from the Spanish alliance, 200; he sends a sum of money to James II. who demands the arrears due to his predecessor, 305; promises to aid Tyrconnel in his attempt to establish the independence of Ireland, 395; the league of Augsburg formed against him through the intrigues of the prince of Orange, 436; he proposes the cardinal of Furstemberg as elector of Cologne, *ibid.*; but the pope decides in favour of the prince of Bavaria, 457; he proposes to James to unite their fleets against the prince of Orange, 458; makes war on the empire, 461; his liberality towards James II. and reception of him, 523.
- Lucas, sir Charles, he and sir George Lisle declared traitors by the parliament after the surrender of Colchester, and shot, vi. 609.
- Ludlow, colonel, endeavours to prevail upon Fairfax to consent to the trial of Charles I. vi. 613; succeeds Ireton in the command of Ireland, vii. 100; suspects Cromwell's sincerity, 164; refuses to act under the new constitution, *ibid.*; the command of the army in Ireland given to him on Henry Cromwell's retirement, 301.
- Lunsford, colonel, impeached of high treason, vi. 426.
- Lusignan, Guy, acknowledged king of Jerusalem by Richard I. ii. 172; receives the island of Cyprus from him, 180.
- Luther, Martin, his history, iv. 97; opposes papal indulgences, 98; his theses refuted by the Dominicans, 99; he is condemned at Rome, 100; appears before cardinal Cajetan, the legate, 101; is protected by the elector Frederic of Saxony, 102; view of the circumstances favourable to him, 103; his letter to Leo X. 107; he is proscribed at the diet of Worms, 108; Charles V.'s dislike to him, 109; Henry VIII. attacks his doctrines, 110; Luther replies to him, 112; is answered by Henry, 113.
- Luxembourg, duke of, commands the French at the battle of St. Denis, viii. 44.
- Luzancy, a French adventurer, publicly abjures catholicism, vii. 599; admitted at Oxford, afterwards implicated in a swindling transaction, 601, *note*; obtains the vicarage of Dover Court, viii. 76, *note*.
- Macbeth, war of the English against, after his usurpation, i. 311.
- Magistrates, forty-four executed in one year, by Alfred, i. 191.
- Magna Charta, signed by John at Runnymede, ii. 520. See *Charter*.
- Maine, Cuthbert, catholic priest, executed in the reign of Elizabeth, v. 375.
- Maintainers, account of the banditti so called, and the excesses committed by them, iii. 185, *note*.
- Maitland of Lethington, deserts to the congregationists, v. 175; proceeds to London with a petition to Elizabeth to aid them, *ibid.*; promises to betray Mary's plans to Cecil, 186; appointed secretary to Mary, 211; sent by her to Elizabeth, to watch the proceedings of the English parliament, 213; persuades Darnley to espouse the cause of the exile lords, 228; Mary prevailed upon by Bothwell and Murray to pardon him, 237; he and Murray form a conspiracy against Darnley, 240; they propose a divorce to Mary, *ibid.*; employed by Murray to advise Mary to a compromise, 273; accused of contriving Darnley's murder, 287; attainted by Lennox, the regent, 333; refuses to surrender up the castle of Edinburgh to Morton, the new regent, 339; is poisoned, *ibid.*
- Major-Generals, fourteen military governors so called, instituted by Cromwell, vii. 195; bill introduced to confirm their authority, 230; it is rejected, and they are deserted by Cromwell, 231.
- Malcolm III. son of Duncan, king of Scotland, assisted by Edward the Confessor against Macbeth, i. 311; protects Edgar Etheling, 399; ravages Yorkshire, 407; marries Margaret, Edgar's sister, *ibid.*; swears fealty to the Conqueror, 417; hostilities with Rufus, 469; is slain, 471; his crown seized by his brother, Donald Bane, *ibid.*; his daughter Matilda marries Henry I. 492.
- Manchester, earl of, succeeds Coke as lord chief justice, vi. 295.
- (lord Kymbolton), earl of, in the reign of Charles I. account of, vi. 493; his quarrel with Cromwell, 495; suspects him of designing to obtain

- command of the army, 496; appointed to reform the universities, 502.
- Manors, creation of new ones, prohibited in the reign of Henry I. ii. 476.
- Mansell, sir Robert, sent against Algiers, vi. 190, *note*.
- Mansfield, count, comes to England to obtain reinforcements for Frederic, son-in-law to James I. vi. 226.
- Marche, the count de la, marries Isabella, king John's widow, ii. 282; withdraws his allegiance from Alphonse of Poitou, brother to Louis IX. 300; pardoned by Louis, 303.
- Mare, sir Thomas de la, speaker in the reign of Edward III. imprisoned in Newark castle by John of Gaunt's party, iii. 108; chosen speaker in the first year of Richard II. 166.
- Margaret, daughter of Eric of Norway, succeeds her grandfather Alexander III. of Scotland, ii. 405; dies on her voyage, 406; various competitors for the crown, *ibid*.
- of Anjou, her character, iii. 447; marries Henry VI. 448; delivered of a son, 474; raises an army, and defeats the Yorkists at Wakefield, 493; defeats them again in the second battle at St. Alban's, 494; after the defeat of the Lancastrians at Towton, secures the services of the earl of Angus, and obtains assistance from Louis XI. 505; is shipwrecked on her return from France, 506; attacked with her son by a robber in a forest, 507; sails to Flanders, where she is kindly received by Charolois, 508; retires to Lorraine, *ibid*.; her son marries one of Warwick's daughters, 531; returns to England, 540; made prisoner at the battle of Tewksbury, and her son killed, 541; ransomed by Louis XI. 543.
- , eldest sister of Henry VIII. marries James IV. of Scots, iii. 657; after his death marries the earl of Angus, iv. 41; the government of the kingdom confided to the duke of Albany, who compels her to give up her children, *ibid*.; on the final departure of Albany her husband acts as regent, 76; irrevocably forfeits her brother's friendship, 319; marries lord Methven, *ibid*.
- Maria d'Este, sister of the duke of Modena, marries James, duke of York, vii. 559; her jealousy at James's amours, viii. 368; delivered of a son, 446; escapes with her child to France, 491; received with great cordiality by Louis XIV. 523.
- Markham, sir Griffin, conducts the plot against James I. known by the name of the 'Bye,' vi. 10; is apprehended with the other conspirators, 12; brought out on the scaffold, but pardoned, 17; banished for life, 18, *note*.
- Marr, earl of, succeeds the earl of Lennox as regent of Scotland after the latter is put to death, v. 332; sends back Elizabeth's envoy, Randolph, to England, and endeavours to heal all dissensions, 338; dies suddenly, *ibid*.
- Marston Moor, battle of, defeat of the royalists in the reign of Charles I. vi. 488.
- Mary, second sister of Henry VIII. marriage proposed between her and Charles, prince of Spain, iv. 32; marries Louis XII. 35; and afterwards Brandon, duke of Suffolk, 37.
- , daughter of Henry VIII. affianced to the dauphin, son of Francis I. iv. 45; afterwards to Charles V. 68; her hand offered to Francis I. 128; reconciled to her father after the death of Anne Boleyn, 246; Surrey suspected of aspiring to her hand, 349; objects to Somerset against further innovations in religion, 435; commanded to conform to the new creed, *ibid*.; her chaplains prevented from saying mass, 438; she refuses to conform, 439; the castle of Hertford, &c. granted her, 467; Northumberland prevails on Edward to pass over her and Elizabeth in the succession, and leave the crown to lady Jane Gray, 469; Charles V. endeavours to promote her succession to the throne, v. 2; privately informed by the earl of Arundel of her brother's death, 3; commanded by the council to forego her claim, 7; Ridley preaches against her, 9; the earl of Essex, &c. join her, 10; is proclaimed by the council, 12; met by Elizabeth on entering London, 14; forms a new council, 15; is crowned, 17; consults the emperor Charles V. 18; his advice as to the conduct to be pursued by her, *ibid*.; refuses to punish lady Jane Gray, *ibid*.; trials of Northumberland, &c. 19; their execution, 20; proposes to marry, and cardinal Pole and Courteney suggested to her choice, 21; the emperor offers her his son, 22; opposition of Gardiner to that match, 24; also of the French and Venetian ambassadors, *ibid*.; restoration of the catholic service, and alarm of the reformed ministers, 26; Mary refuses to arrest Elizabeth, who conforms, 27; Cranmer sent to the Tower for his declaration against mass, 29; bill for the repeal of Henry and Catherine's divorce, 31; ditto, for restoring the catholic service, 33; parties for and against the marriage with Philip, 35; pledges herself to the imperial ambassador to marry Philip, 37; conspiracy formed against her by Courteney, *ibid*.; attempts to create dissensions between her and Elizabeth, 39; treaty of marriage concluded, 40; plans of the conspirators, 42; they rise and put themselves under sir T. Wyatt, 43; his attempt to seize Ludgate, 51; he is taken and conveyed to the Tower, 52; lady Jane Gray and her husband executed, 54; execution of Suffolk and the other conspirators, 56; Elizabeth and Devonshire arrested, 57; saved by Gardiner, 59; Mary's resentment towards Noailles, the French ambassador, 60; the treaty of marriage with Philip ratified, 61; confirmed by parliament, 63; Philip's arrival, 64; Mary and Philip married at Winchester, 66; restoration of catholicism, 67; bull to confirm the alienation of church property, 69; cardinal Pole's arrival, 70; solemn act of re-union with the church of Rome, 72; Pole's decree relative to religious matters, 73; act constituting Philip guardian of the kingdom in case of the queen's death, 76; acts of grace, 77; Paul IV. raises Ireland to a kingdom, 79; petitions of the reformers, 83; Ross and his disciples imprisoned, 84; executions of Saunders, bishop Hooper, &c. 85; persecution of heretics suspended, 86; revived in consequence of the fanaticism of the gossellers, *ibid*.; execution of Ridley and Latimer, 92; of Cranmer, 95; Pole becomes archbishop of Canterbury, 98; his conduct towards heretics, *ibid*.; conduct of the protestants, 99; number of them executed, 100; provocations given by them, 101; truce concluded between France and Spain by the mediation of England, 103; Mary's supposed pregnancy, 104; Philip departs for Flanders, *ibid*.; death of Gardiner, 106; restoration of church property, *ibid*.; sir H. Dudley's

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- Mary, queen of Scots, daughter of James V. her birth, *iv.* 327; marriage proposed between her and Edward, son of Henry VIII. 329; conveyed to Stirling by cardinal Bethune, *ibid.*; her coronation, 330; a marriage between her and Edward promoted by the protector Somerset, 380; antipathy of the Scots to the match, 406; she is carried to France and contracted to the dauphin, 407; demanded for Edward VI. and refused, 426; married to the dauphin, *v.* 163; death of her husband, Francis II. 185; endeavours made to prevent her return to Scotland, and to estrange the allegiance of her subjects, *ibid.*; she refuses to ratify the proposed treaty between her and Elizabeth, 187; returns to Scotland, 188; appoints her natural brother, lord James, and Maitland her chief ministers, 211; Elizabeth insists on her ratifying the treaty of Leith, 212; Cecil proposes an arrangement between the two queens, which Mary accedes to, but Elizabeth rejects, *ibid.*; Mary wishes for a personal interview, which is refused, 213; 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requests permission to visit Elizabeth, which Cecil advises the latter to refuse, 266; will not consent to submit to a trial, 267; reluctantly consents to a commission to inquire into the conduct of her enemies, which is held at York, 269; it is transferred to Westminster, 274; she is charged with murder by Murray, 275; is refused permission to answer the accusation in Elizabeth's presence, 277; orders her commissioners formally to repel the charge, 278; Elizabeth condescends to advise a compromise, 281; Murray proposes to the duke of Norfolk that he should espouse Mary, 282; the duke proposes the earl of Leicester, 283; the duke consents, and a marriage with him is proposed to her as one of the conditions of her liberation, *ibid.*; the duke is imprisoned, 287; an insurrection raised in Mary's favour by the earls of Westmoreland and Northumberland, 290; she is removed to Coventry, 292; her death proposed by the English council, 309; Cecil and Mildmay visit her at Chatsworth, to negotiate with her for her liberty, 311; Norfolk's conspiracy for her release discovered, 322; Mary's treatment becomes more severe, and her health impaired, 387; Elizabeth mistrusts the fidelity of Shrewsbury, Mary's keeper, and surrounds him with spies, *ibid.*; James, Mary's son, assumes the government, 389; Morton, the late regent, is accused of Darnley's murder, 390; and executed, 392; new deliberations of the English cabinet occasioned by these events, 393; proposal by her friends in France to associate herself and her son as joint queen and king, 395; their project that the duke of Guise and James should invade England for her rescue, 399; negotiations for her freedom, 406; frustrated by the perfidy of Gray, the Scottish envoy, who betrays her interests, and effects a political connexion between James and Elizabeth, 408; she is treated with greater severity, and sir Amys Pawlet is appointed her keeper, 418; her son abandons her cause, 419; plots in her favour set on foot by Morgan and Paget, the administrators of her dower in France, 434; 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- is forcibly conducted to Tixal by Pawlet, and her papers seized, 443; order for her trial, 444; charges against her, 446; her reply, 448; judgment against her, 450; Elizabeth hesitates to sign the warrant for her execution, 451; urged to it by parliament, *ibid.*; arguments urged by Pickering, the speaker, 452, *note*; sentence of death announced to Mary, 452; her last requests to Elizabeth, 453; the king of France sends Bellievre to remonstrate against the execution, 454; her son also remonstrates, 456; Elizabeth signs the warrant, 457; but attempts to prevail upon Mary's keepers to assassinate her, 458; the commissioners arrive at Fotheringay, and read the warrant to Mary, 460; her execution, 463; her letter to the pope, 659.
- Mary, eldest daughter of James II. married to the prince of Orange, viii. 21; persuaded by Burnet to promise to transfer her sovereign right as successor to the crown, to her husband, 423; the prince's infidelity, and bad conduct towards her, 422, *note*.
- Massacre of the inhabitants of Limoges, by the command of the Black Prince, iii. 101; at Paris of the Armagnacs, by the Burgundians, 364; of the huguenots at Paris in the reign of Charles IX. v. 334; at Drogheda, by Cromwell, vii. 30; at Wexford, *ditto*, *ibid.*
- Matilda, daughter of Malcolm III. marries Henry I. i. 492; her death, 514.
- , daughter of the preceding, and widow of Henry IV. emperor of Germany, the succession settled on her, i. 515; marries Geoffrey, earl of Anjou, 516; quarrels with him, 518; invades Normandy, ii. 6; lands in England, 16; favoured by the bishop of Winchester, 17; confines Stephen in Bristol castle after the battle of Lincoln, 19; joined by the bishop of Winchester, *ibid.*; acknowledged by the clergy, 20; driven from London in consequence of her impolitic severity, 23; besieges Winchester, *ibid.*; flees from the city, 24; besieged in Oxford by Stephen, 26; quits England, 28; her son, Henry, adopted by Stephen, 30; and he succeeds him as Henry II. 35.
- , daughter of Henry II. marries Henry, duke of Saxony, ii. 155.
- Maurice, prince, orders the arrest of Barneveldt, Grotius, and Hogerbets, vi. 125; perishes in a storm, vii. 112, *note*.
- Maximilian, king of the Romans, his daughter contracted to Charles VIII. of France, iii. 626; married by proxy to Anne of Bretagne, 633; who is afterwards compelled to marry Charles, *ibid.*; joins in the league of Cambray, iv. 11; advances to Milan to oppose Francis I. 43; proposes to adopt Henry VIII., and resign the imperial dignity to him, *ibid.*
- Mazarin, cardinal, banished from France, vii. 177; urges the acceptance of Cromwell's offer for the purchase of Dunkirk, 178; Charles II. offers to marry his niece, 407.
- Meal-tub plot, history of, viii. 153; origin of the name, 154.
- Mellent, earl of, minister of Henry I. i. 535.
- Mendicity, statute for suppression of, in the reign of Edward VI. iv. 391; repealed two years afterwards, 392.
- Mercia, the Mercians and Britons subdue and oppress Northumbria, i. 95; Mercia is annexed to Northumbria, 105; Mercian kings, Wulphere, 123; Ethelred, 124; he ravages Kent, *ibid.*; Cenred, 125; Ceolred, 125; Ethelbald, 126; renders the kings of Wessex his vassals, 127; vanquished by Cuthred, *ibid.*; Offa, 128; his conquests, *ibid.*; succeeded by his son Egferth, 134; Cenulf, *ibid.*; Kenelm, 137; Ceolwulf, *ibid.*; the usurper Beornwulf, *ibid.*; Mercia invaded by the Danes, 168; conquered by them, 177; Burhred abandons his throne, *ibid.*; Ceolwulf, last king of Mercia, *ibid.*
- Merks, Thomas, bishop of Carlisle, see *Carlisle*.
- Middleton, earl of, appointed lord chief commissioner of Scotland at the restoration, vii. 382; his habits of intoxication, 382, *note*; strives to exalt the power of the crown, and demolish the covenant, 383; resolves to annul all the proceedings of the Scottish parliaments for the preceding twenty-eight years, 384; effects the restoration of episcopacy, 389; advises Charles to withdraw the English forces from Scotland, 391.
- Middlesex, Cranfield, earl of, impeached for bribery, &c. vi. 219; sentenced to fine and imprisonment, 220.
- Mitchell, James, attempts to assassinate archbishop Sharp, vii. 603; his trial and execution, viii. 121.
- Monasteries, dissolution of, iv. 228; suppression of the lesser ones, 231; disposal of the monks, &c. 232; dissolution of the larger ones, 255; monastic property vested in the king, 259; their revenues, 486.
- Moine, Eustace le, commander of the French fleet, defeated by the justiciary Hubert de Burgh, in the reign of Henry III. ii. 281.
- Monk, George, taken prisoner at the battle of Nantwich, vi. 485; concludes a truce with O'Neil in Ulster, vii. 22; left to reduce Scotland, 58; takes Stirling, and sends the Scotch regalia to London, 108; takes the command of the English fleet, and blockades the Texel, 171; defeats Van Tromp, *ibid.*; offers made to him by Charles, on which Cromwell hints to him that he is aware of the intrigue, 314; determines to revenge the affronts put upon him by the republicans, but is deterred by Lambert's victory, 315; promises to support Hazellrig and his party, 316; Lambert is sent against him, 317; Monk marches to York, 320; and to London, 322; refuses, when ordered by parliament, to abjure the house of Stuart, 323; is ordered to chastise the citizens, 324; but joins them, 326; admits the secluded members to parliament, 327; his contradictory conduct explained, 328; sends Grenville to Charles, 333; receives the king at Dover, 341; made one of the committee of foreign affairs, 347; joined with prince Rupert in the command of the fleet against Holland, 454; separates from Rupert, and his squadron is greatly disabled by the Dutch, 455; his conduct censured on his return, 456; his subsequent success, 457; opposes the Dutch fleet in the Medway, 473; his death and character, 518.
- Monmouth, duke of, son of Charles II. by Lucy Walters, taken from her and placed under the care of the Oratoriens at Paris, vii. 212; his title bestowed upon him by the advice of Bristol and lady Castlemain, 506; set up by Buckingham as a competitor for the crown in opposition to the duke of York, *ibid.*; Charles's observation on being advised to declare him a legitimate son, *ibid.*; Monmouth the real author of the outrage on sir John Coventry, 515, 516, *note*; serves in the French army, 538; is one of the com-

- missioners in the treaty between Charles and Louis, 539; commands the English auxiliaries in Flanders, 556; requests the appointment of commander-in-chief, 575; said to intend to establish proof of his legitimacy, viii. 97; takes the command of the royal forces against the Scotch covenants, 129; attaches himself to Shaftesbury, 137; solicits the king to detain the duke of York at Brussels, 139; is ordered to resign his office of lord-general and withdraw to the continent, 140; professes to the prince of Orange not to aspire to the crown, 141; is recalled, 145; a seditious libel in support of his interests, 146; his legitimacy officially denied by the king, 150; his views and conduct, 159; votes for the exclusion bill, 170; Everard imprisoned on a charge of attempting to poison him, 204; Monmouth is arrested at Stafford and held to bail, 243; is pardoned by the king, 264; banished from court, 267; retires to the Netherlands, where he is entertained by the prince of Orange, 282; returns to England, 283; lands in Dorsetshire with a hostile force, and is attainted, 316, 328; publishes his declaration, *ibid.*; assumes the title of king, 333; is taken prisoner at the battle of Sedgemoor, 337; writes a penitential letter to James, 338; his interview with him, 339; with his wife, 341, 344; his execution, 345; trials of his associates, 360.
- Monson, sir T. arraigned as implicated in Overbury's death, vi. 112.
- Montague, sir Edward, lord chief justice, opposes the proposed alteration of the succession, by Edward VI. iv. 471.
- , Dr., two puritan ministers prepare an information against him, on account of some of his theological writings, vi. 237; his "Appeal to Cæsar," voted a contempt of parliament, 240.
- , bishop of Chichester, assures Panzani that the English would not object to the spiritual supremacy of the pope, vi. 313.
- , ambassador to France, engages to procure an augmentation of Charles II.'s pension, viii. 19, *note*; receives a letter from Danby, which he afterwards employs to ruin that minister, 36; commences an intrigue against him, in which he is aided by Barillon, 86; elected for Northampton, 87; his papers seized by Danby, 88; he produces Danby's papers to the house, 89; his perfidy and baseness, 91.
- Montfort, John, earl of, brother to John III. of Bretagne, claims the duchy, and is supported in his pretensions by Edward III. iii. 40; it is adjudged by Philip to Charles of Blois, *ibid.*; he escapes from the Loure, and returns to Hennebon, 42; appoints Edward guardian to his son, *ibid.*; surrenders Brest to Richard II. 171.
- , Jane, duchess of Bretagne, wife of the preceding, besieged by, and heroically resists, Charles de Blois, at Hennebon, iii. 41; relieved by the English, 42; takes the city of Vannes, *ibid.*
- , Simon de, earl of Leicester, his history, ii. 321; marries Eleanor, sister of Henry III. *ibid.*; accused of peculation, 322; deprived of the duchy of Guienne, *ibid.*; leagues with the barons against Henry, 324; procures the banishment of the king's brothers, 327; retires into France in consequence of Gloucester's ascendancy, 331; returns and renews his plans, 334; his party extort from Henry compliance, with their views, 335; rejects the decision of Louis XI. in favour of Henry, 338; he takes the king prisoner at the battle of Lewes, 342; retains prince Edward as a hostage, *ibid.*; exercises the royal authority, 345; crushes the efforts of the lords of the Welch marches, 348; the earl of Gloucester deserts him, 349; Gloucester assists prince Edward to escape, 350; Leicester is driven into Wales, *ibid.*; his son, Simon, defeated by prince Edward, 352; himself and eldest son, Henry, slain at Evesham, 353; his widow ordered to quit the kingdom, 354.
- Montrevil, French envoy, employed by Charles I. to negotiate with the Scots, vi. 543; advises him to accept the conditions offered, 544; proceeds to Scotland, 549.
- Montrose, James Graham, marquis of, offers his services to Charles I. to restore the power of the royalists in Scotland, vi. 521; defeats Elcho at Tippermuir, 523; defeats Argyle, *ibid.*, and the covenants at Kilsyth, 532; proceeds as one of the Scots deputies to Charles II. vii. 18; advises him not to take the covenant, *ibid.*; raises the royal standard in Scotland, 36; defeated by Leslie, and afterwards taken prisoner, *ibid.*; tried before the parliament, 37; his heroic demeanour, 38; and death, *ibid.*; his remains reburied, 387, *note*.
- Moore, Roger, of Ballynagh, excites the native Irish to take up arms in the reign of Charles I. vi. 414.
- Mordaunt, Mr., brother to the earl of Peterborough, among the royalists brought to trial by Cromwell, vii. 261.
- More, sir Thomas, chosen speaker of the commons, iv. 72; unfavourable to Henry's divorce, 130; made chancellor on Wolsey's death, 166; resigns, 209; his opinion of the pretended prophetess, Elizabeth Barton, 210; summoned before the council, 211; imprisoned in the Tower, 212; his trial, 218; and execution, 221.
- Mortimer, Roger, lord, escapes from the Tower, ii. 534; goes to France and enters the service of Charles IV. 535; made chief officer of her household, by Isabella, queen to Edward II. 537; Edward offers a reward for his head on his return, 541; proceeds with Isabella to meet the parliament at Westminster, 546; scandal excited by his intimacy with the queen, 551; obtains the estates of the Spencers and title of earl of March, iii. 3; his power, 9; lord Montacute advises the young Edward to shake off his power, 13; Mortimer is seized, 14; and executed, 15.
- Mortimer's Cross, battle of, Edward duke of York, (Edward IV.) defeats the Lancastrians, iii. 494.
- Mortmain, statutes of, enacted in the reign of Edward I. ii. 476.
- Morton, earl of, aids in Rizzio's murder, v. 230; Murray and Bothwell obtain his recel from banishment on condition of his joining in their plot against Darnley, 241; is one of the commissioners in Mary's cause, and defends, before Elizabeth, the proceedings of the party against her, 311; takes money for the liberation of the earl of Northumberland, and then delivers him up to Elizabeth, 332; succeeds the earl of Marr as regent, 338; reduces the castle of Edinburgh, 339; his rapacity, 388; humbles himself to be lieutenant of the queen of England, *ibid.*; resigns the regency, on the government being confided to

- James, but recovers his power again, 389; accused of Darnley's murder, and arrested, 390; is executed, 391.
- Morton, Dr., pardoned by Edward IV. and raised to the see of Ely, iii. 546.
- , Dr., Nicholas, apostolical penitentiary from Rome, instigates an insurrection in the northern counties for the purpose of liberating Mary queen of Scots from captivity, v. 289, *note*.
- Mounteagle, lord, his brother-in-law, Tresham, one of the conspirators in the gunpowder-plot, wishes to warn him of the danger of attending parliament, vi. 48; he receives a letter to that effect, 49; visits the cellar under the house of lords, with the lord chamberlain, 52; his sister, Mrs. Abington, conceals Garnet, the jesuit, and some others of the conspirators, 57; rewarded with lands and an annuity, 65.
- Mountjoy, earl of, advises Essex to escape to the continent, v. 577; accepts the office of deputy in Ireland, 578.
- Mountnorris, lord, vice-treasurer of Ireland, tried by a court-martial, in consequence of offending Wentworth, vi. 342.
- Mowbray, Robert, earl of Northumberland, rebels against Rufus, i. 473; imprisoned for life in Windsor Castle, 474.
- Murder, penalties for, i. 434.
- Murray, lord James Stuart, natural brother to Mary of Scots, created earl of, v. 215; swerves from his loyalty towards Mary, and opposes her match with Darnley as inimical to his interests, 219; plan entered into to place him at the head of the government, *ibid.*; money sent to him from England, 221; driven with his associates from Dumfries, goes to London, and has an interview with Elizabeth, 242; made one of the new administration formed by Mary, 237; accused by Darnley of a design to assassinate him, 239; enters into a conspiracy against him, 240; they are joined by Bothwell, Huntly, and Argyle, and propose to Mary a divorce from Darnley, 241; Murray is appointed regent, Mary being compelled to sign an instrument by which she resigns the crown in favour of her son, 258; visits her in her prison at Lochleven to obtain her acquiescence in this measure, 259; undertakes to communicate secretly to the English commissioners proof of her guilt, 271; denies having extorted her resignation, 272; desires a compromise *ibid.*; charges her with murder, 276; she boldly repels the charge, 278; Murray proposes to the duke of Norfolk that the duke should marry her, 282; he is shot in the streets of Linlithgow, by Hamilton of Bothwellhaugh, 296.
- Nantwich, battle of, vi. 484.
- Naseby, battle of, Charles I. defeated by Cromwell, vi. 527.
- Nassau, Frederic, prince of, sent by the States of Holland to congratulate James I. on his accession, vi. 6.
- Naval actions, &c.: capture of a Turkish galley by Richard I. ii. 174; the French fleet under Eustace le Moine, defeated by Hubert de Burgh, reign of Henry III. 281; Edward III. defeats a French fleet, iii. 32; and a Spanish one, 64; a fleet under sir John Paveley sent against the French, 87; state of the navy in the reign of Edward III. 142; victory obtained by the duke of Bedford, who relieves Harfleur from blockade, 358; action between sir Edward Howard and Primauguet, iv. 17; Drake's expedition against Cadiz, v. 482; the Spanish armada, 497; victory at Cadiz, by lord Howard of Effingham, 540; expedition against Cadiz in 1625, vi. 242; actions between Blake and Van Tromp, vii. 118, 122, 169; Monk's victory over Van Tromp, 171; capture of a Spanish fleet by Blake and Montague, 318; Blake's victory at Santa Cruz, 247; the royal fleet destroyed by Cromwell, 260; the duke of York's victory over the Dutch, June 3, 1665, 438; the battle of Southwold Bay, 535; action between prince Rupert and De Ruyter, 557.
- Naval Tactics, system of fighting in a line introduced by James, duke of York, iv. 438, *note*.
- Navarre, Jean d'Albret, king of, his right contested by Gaston de Foix, iv. 15; deprived of his possessions by Ferdinand, 17.
- , Antoine, de Bourbon, titular king of, induced by Throckmorton to enter into an association in favour of the French reformers, v. 178; appointed lieutenant-general of France during the minority of Charles XI. 198; mortally wounded at the siege of Rouen, 201.
- Naylor, James, a fanatic, punished for blasphemy vii. 226.
- Nesta, mistress of Henry I. and mother of Robert, earl of Gloucester, ii. 103, *note*.
- Netherlands, insurrection in, v. 301; the duke of Alva sent to suppress it, 302; the French protestants join the duke of Orange, who is afterwards obliged to disband his army, 303; a squadron laden with money for Alva seized by the English, 305; Alva, in consequence, imprisons the English merchants in Flanders, *ibid.*; Elizabeth's retaliation, *ibid.*; discontent of the inhabitants occasioned by the free quarters of Alva's troops, 343; La Marque raises the standard of independence, and many of the towns throw off the Spanish yoke, 344; the prince of Orange made stadtholder, 345; reconciliation between Alva and Elizabeth, 346; Orange offers the sovereignty of the States to Elizabeth, which she refuses, 347; but gives them aid, 349; she afterwards forms an alliance with the Belgian insurgents, 422; war in the Spanish Netherlands, viii. 15; Louis XIV. takes Ghent and Ipres, 33.
- Nevil, sir Humphrey, leader of the insurgent Lancastrians, in the reign of Edward IV. executed, iii. 525.
- Newcastle, marquis of, his antipathy to prince Rupert, vi. 489; deserts the royalists after the battle of Marston Moor, and escapes to the continent, 490.
- Nichols, his changes in religion, and informations against the catholics, v. 384, *note*.
- Nimegueu, congress at, in 1674, viii. 1; treaty of peace between France and the United Provinces, July, 1678, 43; treaty between Charles II. and king of Spain to maintain the peace, 160.
- Noailles, French ambassador, endeavours to prevent Mary's marriage with Philip, v. 24; his intrigues with the discontented, 36; thereby incurs Mary's enmity, 61; ordered by Henry to persist in his intrigues, 64; his chagrin at Mary's marriage, 65; procures opposition to a bill for a subsidy, 116; suc-

- ceeded, as ambassador, by his brother the bishop of Aqcs, 113.
- Norfolk, Roger Bigod, earl of, marshal of England, he and the earl of Hereford refuse to take the command of the force destined by Edward I. for Guienne, ii. 460; a new marshal and constable appointed, 461; the earl surrenders his estates, 468.
- , Catherine, duchess of, marries, in her eightieth year, John, the younger brother of lady Elizabeth Gray, iii. 515.
- , duke of, (see *Surrey*), commissioned to conduct the bill of six articles in the house of lords, iv. 286; his niece Catherine Howard, married to Henry VIII. 305; excluded from the number of Henry's executors, 350; is arrested and imprisoned, 352; his confession, and petition that his estate may be settled on prince Edward, 354; is attainted, *ibid.*; the attainer reversed by Mary, 355.
- , duke of, appointed one of the commissioners in the cause between Mary of Scots and Murray, v. 270; Maitland suggests a marriage between him and Mary, 273; the duke denies to Elizabeth the intention to wed her, 282; is urged to it by Murray, *ibid.*; proposes first Leicester, afterwards his own brother as a husband for her, 283; detected in a conspiracy in favour of Mary, 322; his trial, 325; defence, *ibid.*; condemned, 327; Elizabeth's reluctance to sign the warrant, 328; she is urged to it by Burleigh, who gets the parliament to petition for his death, 329; Norfolk is executed, 330.
- Normandy, dissension and reconciliation between duke Richard and Ethelred, i. 256.
- , William, duke of, visits Edward the Confessor, i. 305; his descent, and claim to the English crown, 316; detains Harold as his prisoner, 317; compels him to swear fealty to him, *ibid.*; claims the crown on the death of Edward, 324; lands in England, 330; gains the battle of Hastings, 335. See *William I.*
- Norman language, introduced into courts of law at the conquest, i. 433.
- Normans, settlement of, in Gaul, i. 379; their rapid progress in civilization, 380; chief wealth and authority transferred to them at the Conquest, 421; alterations in tenure, &c. 423.
- North-east passage to India, attempt to discover, in the reign of Edward VI. iv. 476.
- Northumberland, Nevil, lord Montague, made earl of, by Edward IV. iii. 516.
- , Dudley, earl of Warwick, made duke of, iv. 449; procures Somerset's arrest, *ibid.*; commits bishop Tunstall to the Tower, 459; his wealth and power, 466; marries his son to lady Jane Gray, 467; induces Edward VII. to alter the succession in favour of lady Jane, 468; endeavours to secure the person of the princess Mary, 473; his alarm at Mary's success, v. 11; ordered to disband his forces, 13; arrested on a charge of high treason, 14; brought to trial, 19; is executed, 20.
- , Thomas Percy, earl of, Mary of Scots applies to him to assist her, when in captivity, v. 289; he joins the earl of Westmorland for that purpose, 290 (see *Westmorland*); he escapes to Scotland, where he is confined by Murray in Lochleven castle, 294; treacherously delivered up by the earl of Morton to Elizabeth, and beheaded at York without a trial, 333.
- Northumberland, Henry Percy, brother of the preceding, sent to the Tower, as an accomplice in Throckmorton's conspiracy, v. 423; found shot in his bed, supposed to have destroyed himself, 424.
- , earl of, enters into a plot against James I. which he afterwards abandons, vi. 9; imprisoned on account of his relation, Thomas Percy, being concerned in the gunpowder plot, 64; applies himself, in the Tower, to literary and scientific pursuits, *ibid.*, *note*.
- Northumbria, union of Deira and Bernicia, under Edwin, i. 89; conquered by the Mercians, 95; deaths of Osric and Eanfrid, 96; Oswald's reign, 97; conversion of the people to christianity, 98; Oswio allots Deira to Oswin, 100; Mercia conquered and annexed to Northumbria, 105; Egfrid succeeds his father Oswio, 111; reign of Alfrid, 115; other Northumbrian kings, 117; Ceolwulf, *ibid.*; Eadbert, *ibid.*; Oswulf, 118; Alchred, *ibid.*; Alfwold, *ibid.*; Ethelred, 119; invasion of an army of Danes, *ibid.*; Eardulf, 120; subsequent anarchy and rebellions, 121; the kingdom conquered by Egbert, 155; by the Danes, 168; annexed by Athelstan to his dominions, 211; finally subdued by Edred, 226; murder of Ultred, earl of Northumbria, 270.
- Oates, Titus, account of, viii. 48; employed by Dr. Tonge, a clergyman, to contrive a plot against the jesuits, 49; he makes affidavit as to the truth of his narrative, 52; his depositions before the privy council, 53; his charges against the jesuits countenanced by Coleman's correspondence, 59; asserts that catholics have been appointed to all the great offices of state, 65; the earl of Powis, &c. are, in consequence, committed to the Tower, *ibid.*; Oates declares the duke of York to be ignorant of the plot, 69; Bedloe comes forward as a witness to the plot, 73; Oates accuses the queen as concerned in a conspiracy of jesuits, 78; trials arising out of his plot, 80; rewards given to him and Bedloe, 103, *note*; his evidence objected to by lord Stafford, on his trial, 179; indicted for scandalum magnatum against the duke of York, 276; convicted and fined, 311, *note*; a pension allowed him by William III. *ibid.*
- Octarchy, the Saxon, established, i. 78.
- Odo, half-brother to William the Conqueror, and bishop of Bayeux, appointed joint regent with Fitz Osbern, during William's absence in Normandy, i. 392; aspires to the papacy, 443; imprisoned by William, 444; released, 449; foments a conspiracy against William Rufus, 459; besieged by him in Pevensey, 460; he escapes to Normandy, 461.
- O'Dogherty, his revolt in the reign of James I. which is terminated by his death, vi. 142.
- Offa, king of Mercia, i. 128; his conquests, *ibid.*; opposes the authority of the archbishop of Canterbury, 129; founds a metropolitan see at Lichfield, 130; his correspondence with Charlemagne, 131; proposed marriage between their children broken off, 132; murders Ethelbert, king of East Anglia, *ibid.*; endows the abbey of St. Alban's, 133; succeeded by his son Egferth, 134; extinction of his family, *ibid.*; fate of his daughter Eadburga, 153.
- Olave, king of Norway, subdues the Orkneys, i. 254; invades England, in conjunction with Sweyn, 255; they ravage Essex, &c. *ibid.*; induced by Ethelred to

- quit the kingdom, 255; converts his subjects to christianity, *ibid.*
- Oldcastle, sir John, leader of the Lollards, iii. 334; escapes from the Tower, 335; leaves his concealment, and is taken prisoner, 363; executed, *ibid.*
- O'Nial, Phelim, opposes Essex's attempt to subdue Ulster, v. 362; is assassinated by him, *ibid.*, *note.*
- , Shanes, son of the earl of Tyrone, claims the chieftaincy of Ulster, v. 360; visits queen Elizabeth, *ibid.*; rebels, *ibid.*; is assassinated, 361; his name and dignity extinguished by act of parliament, *ibid.*
- , Phelim, joins Roger Moore, vi. 414; he surprises Charlemont and Dungannon, 418.
- , Owen, is proclaimed a rebel by the council, vii. 22; concludes a treaty with Monk, 26, *note*; afterwards accepts the offers of the royalists, but dies on his way to join them, 31.
- , Hugh, defends Limerick against Ireton, vii. 95; after the capitulation of the city is doomed to die by Ireton, but saved by the officers, 97.
- Opdam, takes the command of the Dutch fleet, vii. 438; his vessel blown up in the engagement with the English under the duke of York, June 3, 1665, 439.
- Orange, William II. prince of, son-in-law of Charles I. his death, vii. 115.
- , William III. son of the preceding, his birth, vii. 115; Cromwell's intrigues against him prove favourable to his interests, 174; declared captain-general of the army and admiral of the fleet, 338; undertakes to liberate his country from factions, 555; reduces Naerden and joins Montecuculi, 569; intrigues with a party in England for the succession to the crown, 576; declines the hand of the princess Mary, 579; defeated at Cassel, viii. 16; he marries the princess Mary, daughter of the duke of York, 17; opposes the restoration of Franche Comte to Spain, 18; afterwards sacrifices the Spanish interests, *ibid.*; compelled to assent to a peace with France, 39; visited by Monmouth, who endeavours to remove his jealousy of him, 141; suspected of promoting the duke of York's exclusion, 159; wins Godolphin and Sunderland to his interests, *ibid.*; seeks a reconciliation with James after that prince's accession, 307; causes of the estrangement between them, 416; James denies any intention of changing the succession, 421; William invites Burnet to his court, 423; his consort promises him that he shall possess the sovereign authority, *ibid.*; his attachment to Mrs. Villiers (lady Orkney), *ibid.*; is offended with Skelton, the English ambassador, for interfering in his amours, 424; sends Dyckvelt to learn the state of affairs in England, 425; and afterwards Zulestein, 427; he assumes a more independent tone towards James in consequence of the assurances he receives, 428; Fagel's letter to Stewart against the repeal of the test, 429; William's artful conduct and affected zeal for the protestant religion, 431; he fomented dissension between the States and James, 432; and secretly procures ships and men, 434; his preparations for an attempt against England frustrated by the premature delivery of James's queen, 453; he receives assurances of support from the earl of Shrewsbury and other noblemen, 454; dexterously avails himself of the state of the continent to conceal his designs on England, 455; instigates the emperor, king of Spain, &c. to form the league of Augsburg against Louis XIV. 456; gains over, not only the catholic powers, but the pope himself, to his interests, *ibid.*; pretends to be preparing only to resist France, while meditating an attack on England, 457; is left at liberty to pursue his designs by the war between Louis and Germany, 461; justifies his intended expedition against James, 465; assures the emperor and king of Spain that his object is to reconcile James with his subjects, 467; circular from the States to the same effect, 468; force collected for the expedition, *ibid.*; William takes leave of the States, 469; sails from Helvoetsluys, but is driven back, 471; arrives in Torbay, 477; is at first disappointed at his reception, 479; lord Cornbury deserts to him, 480; also Grafton and Churchill, 484; prince George of Denmark, Ormond, &c. 485; William refuses to see the commissioners sent to negotiate with him by James, 490; his answer to their paper, 493; his perplexity with regard to disposing of James, 503; who is ordered to quit Whitehall, 504; William arrives at St. James's, 506.
- Ordeal, purgation by, i. 365; trial by, ii. 139; abolition of, in the reign of Henry III. 378.
- Orderic, the historian, account of, ii. 19, *note.*
- Orleans, city of, besieged by the English, iii. 406; relieved by Joan of Arc, 413.
- Orleans, Maid of, see *Joan of Arc.*
- , Louis, duke of, brother of Charles VI. challenges Henry IV. iii. 307; assassinated by the duke of Burgundy, 309.
- , duchess of (the princess Henrietta, youngest sister of Charles II.), marries Philip, only brother to Louis XIV. vii. 407; Buckingham opens a negotiation with her, to promote Charles's interest with Louis, 498; she visits her brother, 509; dies suddenly, supposed to have been poisoned, 511.
- Orleton, Adam, bishop of Hereford, instigates Isabella, wife of Edward II. to invade her husband's dominions, ii. 540; ordered by her to bring accusations against the king, 541; his speech in the parliament at Westminster, 546.
- Ormond, marquis of, lord lieutenant of Ireland, commanded by Charles I. to conclude peace, vi. 521; saves Dublin from the troops of O'Nial and Preston, 562; comes to England, 563; proposed that he should resume the government of Ireland, 589; sent by the queen from Paris to make peace with the catholics, 612, *note*; re-appointed to the government of Ireland, vii. 21; his enemies accuse him to Charles of disloyalty, but the latter sends him the order of the garter, 29; is joined by O'Nial, 31; advises Charles to provoke a war between England and Scotland, as the only means of preserving Ireland, 35; is mistrusted by the catholics, 87; quits Ireland, after appointing Clanricard as his deputy, 89; recommends applying for aid to the pope, 93, *note*; is one of the confidential adherents of Charles in his exile, 211; visits London in disguise, to sound the disposition of different parties in favour of Charles, 257; returns to the continent, in consequence of being betrayed by Willis, 259; comes to London to obtain an explanatory act relative to grants of land, 397; rejects the remonstrances of the catholics, 398, *note*; resigns the government of Ireland to lord Robartes, 496; his narrow escape from assassination by Blood, 518; pardons Blood at the

- king's request, 520; is recalled from Ireland, 612; opposes the Irish petitioners, 613; complaints brought against him, 614.
- Osburga**, mother of Alfred the Great, i. 173.
- Osric**, prince of Northumbria, attacks Ceadwalla, and is slain, i. 96.
- Oswald**, son of Edlfrid, sixth Bretwalda, his reign, i. 96; revenges the deaths of Osric and Eanwald, 97; vanquishes Ceadwalla, *ibid.*; invites Christian missionaries, *ibid.*; bestows the island of Lindisfarne on Aidan, 98; converts Cynegils, 99; vanquished by Penda, and slain, *ibid.*
- Oswio**, seventh Bretwalda, i. 100; marries Eanfled, Edwin's daughter, *ibid.*; allots Deira to Oswin, *ibid.*; seeks to propitiate Penda, 101; converts Sigebert, 102; vanquishes Penda in the battle of Winwidfield, 104; overruns East Anglia and Mercia, *ibid.*; subdues and partitions the latter, *ibid.*; his daughter Ælfleda dedicated to a monastic life, *ibid.*; a kingdom assigned to his son, Alchfrid, 105; Oswio endeavours to establish religious uniformity, 107; his death, 110; succeeded by Egrfrid, 111.
- Otho**, cardinal, attempts to reconcile Henry III. with his barons, ii. 320; appointed by him to the see of Winchester, *ibid.*
- Overbury**, sir Thomas, employed by Somerset as his assistant in public business, vi. 102; courted on account of his influence with him, *ibid.*; imprisoned in the Tower, through the intrigues of the countess of Essex, for refusing to accept a mission to Russia, 103; dies, as supposed, by poison, 105; inquiry into his death, 110; execution of Mrs. Turner, Weston, &c. 111; Somerset and his wife convicted, but pardoned, 114.
- Oxford**, the *mad* parliament held there in the reign of Henry III. ii. 325; its provisions annulled, 337; the celebrated decree passed by the university in favour of passive obedience, viii. 259; dispute between James II. and the fellows of Magdalen, relative to the appointment of a president, 405; he appoints Dr. Giffard, a catholic, president, 438; Dr. Hough and the fellows restored, 463.
- , Robert de Vere, earl of, created duke of Ireland by Richard II. iii. 235. See *Ireland*.
- , Vere, earl of, his fate after his escape from the battle of Barnet, iii. 543.
- , countess of, wife of the preceding, and sister of Warwick, the 'king-maker,' reduced to support herself by needlework, iii. 544.
- Panzani**, Gregorio, envoy from Urban VIII. to Charles I. vi. 313; induces Charles to stop the vexations of the catholics, 314.
- Papal provisions**, nature of, ii. 308.
- Paris**, massacre of the Armagnacs at, by the Burgundians, iii. 364.
- Parker**, Dr. Matthew, chaplain to Anne Boleyn, made archbishop of Canterbury by Elizabeth, v. 155; compiles ordinances respecting the dress of the clergy, &c. 316; his zeal against the puritans, 369; succeeded by Grindal, 370.
- , Dr., bishop of Oxford, recommended by James II. as president of Magdalen college, in the place of Hough, who had been chosen by the fellows, viii. 407.
- Parliament**. The barons assemble in armour to extort
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- Richelieu**, cardinal, assists the Scots covenanters, against Charles I. out of revenge for the aid furnished by England to the huguenots, vi. 357; his death, 477.
- Richmond**, Henry, earl of, escapes with his uncle, the earl of Pembroke, to Bretagne, when Edward IV. ineffectually demands them to be given up, iii. 545; conspiracy in his favour against Richard III. 586; his pedigree, 587, *note*; marriage agreed upon between him and the princess Elizabeth, *ibid.*; the Yorkists swear fealty to him, 592; takes shelter in France, on the duke of Bretagne's being gained over by his adversary, 593; assisted by Charles VIII. 597; lands in Wales, 599; obtains a decisive victory at Bosworth, 601. See *Henry VII.*
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- Rinuccini**, papal nuncio, presides at the supreme council at Kilkenny, vi. 20; offers to resign, *ibid.*; escapes to O'Neil, at Maryborough, 21; summons a synod at Galway, 22; ordered by Ormond to quit Ireland, *ibid.*
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- Robert II.** of Normandy, father of William the Conqueror, makes a pilgrimage to Jerusalem, i. 380.
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- Roches**, Peter des, bishop of Winchester, the person of young Henry III. committed to him, ii. 284; quits England, 286; returns and effects the fall of Hubert de Burgh, 289; is afterwards himself removed from the ministry, 318.
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- , Wilmot, earl of, takes the command of the royalists in the northern counties, who rise in favour of Charles II. vii. 192; fails in the attempt and returns to Cologne, 193.
- , Hyde, earl of, removed from the treasury through Halifax's intrigues, but appointed lord lieutenant of Ireland, viii. 279; his political character, 297; his rivalry in the cabinet with Sunderland, 362; Sunderland and Petre's intrigues against him, 381; James endeavours to convert him to the catholic faith, 382; deprives him of his office of lord high treasurer, 383.
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- Rollo**, ancestor of William the Conqueror, marries Gisla, daughter of Charles the Simple, i. 380.
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- Roos**, William Cecil, lord, suspected of a criminal intrigue with the countess of Exeter, his grandfather's wife, vi. 160; his father-in-law, sir Thomas Lake, and his lady, fined for spreading the report, 161; a bill brought into parliament to enable him to marry again, in consequence of his wife's adultery, vii. 507; this case forms the precedent for subsequent bills of divorce, 508.
- Rosamond Clifford**, mistress of Henry II. ii. 156; her sons, *ibid.*; retires to the convent of Godstow, *ibid.*
- Ross**, bishop of, Scots ambassador, apprehended as an accomplice in the duke of Norfolk's conspiracy, v. 322.
- Rothsay**, duke of, son of Robert III. defends Edinburgh castle, against Henry IV. iii. 284; imprisoned and starved to death by his uncle the duke of Albany, 309.
- Rouen**, William Rufus attempts to get possession of, i. 463; besieged by Louis VII. and Henry, son of Henry II. ii. 125; relieved by Henry II. who compels them to retreat, 126; given up to Philip Augustus, 218; besieged by Henry V. iii. 366; surrenders, 368.
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- Rupert**, prince, nephew of Charles I. his success at the battle of Edge-hill, vi. 450; surprises the town of Wycomb, 460; takes Bristol, 462; sent to relieve York, 487; his conduct at the battle of Marston Moor, 488; incurs the hatred of the army by his imperious temper, 515; his imprudence occasions the defeat of the royalists at Naseby, 528; he importunes the king to yield to the demands of the

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- Ruyter, de, Dutch admiral, succeeds Van Tromp, vii. 122; he and De Witt pursued by Blake, *ibid.*; sent against the Turkish corsairs in the Mediterranean, 434; is pursued by Monk's squadron, 455; sails with De Witt, with a fleet against England, 472; sweeps the English coast for six weeks, 475; attacks the English fleet off Southwold Bay, 535; avoids a second engagement, 537.
- Sa, don Pantaleon, brother to the Portuguese ambassador, executed for killing a person in an affray, vii. 162.
- Sachentenge, instrument of torture, invented in the reign of Stephen, ii. 33.
- St. Alban's, abbey of, endowed by Offa, king of Mercia, i. 133.
- , battle of, Henry VI. taken prisoner by Richard, duke of York, iii. 477; second battle, the Yorkists put to flight, 494.
- St. Leger, husband of the duchess of Exeter, sister to Richard III. executed for conspiring against Richard, iii. 590.
- St. Pol, Walleran de, brother-in-law to Richard II. defeats Henry IV. iii. 305; attacks the isle of Wight, 307.
- Saladin, defeated by Richard I. at Jaffa, ii. 178; concludes an armistice with him, 182.
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- , sir Robert Cecil, earl of (see *Cecil*), gains an ascendancy over James I. and obtains the favour of the queen in preference to his rival, Northampton, vi. 82; fails in his plan for raising money for the king, 93; his death, 94.
- Sands, sir Edwin, arrested for the boldness of his speeches in parliament, vi. 190.
- Sandwich, earl of, sent against two Dutch fleets in the neutral port of Bergen, vii. 448; captures eight men of war and two Indiamen, 449; deprived of his command, for taking part of the cargo, and sent ambassador to Spain, *ibid.*; drowned with part of his crew in the battle of Southwold Bay, 536.
- Santa Cruz, Blake's victory at, vii. 247.
- Sawtre, chaplain of St. Osith's, burnt for heresy, iii. 328.
- Scavenger's Daughter, an instrument of torture, so called, v. 650.
- Seearstan, battle of, between Canute and Edmund, i. 272.
- Schomberg, duke of, challenges Prince Rupert, vii. 558.
- Scotland, origin of the Scots, i. 54; emigrated from Ireland, 56; they rebel against Athelstan, 214; Constantine defeated at the battle of Brunanburgh, and his son killed, 216; Cambria bestowed on Malcolm by Edmund, 225; Macbeth's usurpation, 311; Malcolm III. ravages Yorkshire, &c., 407; swears fealty to William the Conqueror, 417; hostilities between him and William Rufus, 469; succeeded by his brother Donald Bane, 471; David I. invades England in the reign of Stephen, ii. 7; defeated at the battle of the Standard, 12; peace concluded, 13; William, David's successor, enters into a league with Louis VII. against Henry II. 119; taken prisoner, 124; released on swearing fealty to Henry, 127; swears fealty to John, at Lincoln, 227; the rebellious English barons do homage to Alexander II. 264; Henry III. virtually acknowledged as feudal lord, 294; attempt to break off the connexion with England, 295; dispute relative to the succession to the crown on the death of Margaret, granddaughter of Alexander III. 404; claims of Baliol and Bruce, 412; Baliol declared king (see *Baliol*), 414; the Scots prepare to invade England, 425; victory of the English at Dunbar, 426; Baliol resigns, 427; Wallace becomes the leader of the Scots, (see *Wallace*), 430; the Scots solicit the protection of the pope against Edward, 436; Edward subdues the Scots, 445; his nephew John de Bretagne appointed guardian of the kingdom, 449; Bruce assumes the title of king (Robert I.), 481; defeats Edward II. at Bannockburn, 504; refuses to acknowledge the papal truce, 520; the Scots' memorial to the pope, 521; they pursue Edward to York, 532; the truce concluded, 533; negotiations between Bruce and Edward III. iii. 3; hostilities renewed, 4; advantageous peace with England, 8; Bruce succeeded by his son, David II. 16; Edward Baliol revolts, 17; is crowned at Scone, 19; his secret negotiations with Edward III. 20; the Scots defeated by Edward III. at the battle of Halidon Hill, 22; David II. invades England, 54; is made prisoner at the battle of Nevil's Cross, 56; Scotland invaded by Edward, 74; the Scots, aided by the French, invade England, against Richard II. but are compelled to retreat, 201; Richard enters Scotland, and burns Edinburgh and other cities, 202; Henry IV. commences war, 283; Scots defeated at Homildon-hill, 286; James, son of Robert III. taken at sea, and detained prisoner by Henry, 309; his uncle, the duke of Albany, enters into the views of Henry, *ibid.*; James follows Henry V. to France, 377; the maintenance allowed him, 394; marries the daughter of the earl of Somerset, and returns to Scotland, 395; enters into a league with France, 431; besieges Roxburgh, 433; dies, and is succeeded by his son James II. *ibid.*; war between James III. and Edward IV. 559; affairs of Scotland in the reign of Richard III. 593; treaty with Henry VII. 614; Perkin Warbeck received in Scotland, 645; James IV. marries Margaret, daugh-

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Shaftesbury, Cooper, earl of, appointed chancellor of the exchequer, vii. 525; his character, *ibid.*; raised to the peerage, 540; justifies the shutting up of the exchequer, 543; his disgrace, 561; pretends that his life is in danger from the papists, 577; ordered to quit London, *ibid.*; becomes a leader of the opposition, 580; interests himself warmly in obtaining a hearing of lord Shirley's appeal, 597; his "Letter from a Person of Quality" voted a libel, and burnt, *ibid.*; disputes the legality of parliament's sitting after the long adjournment, viii. 8; committed to the Tower, with Buckingham, Salisbury, and Wharton, 11; compelled to beg pardon, on his knees, of the house, 20; suspected to be the instigator of Oates's plot, 61; his zeal in the inquiry into it, which is committed to him, 64; moves an address against the duke of York, 69; interests himself in favour of Danby, 102; made president of the new council, 108; his plans against the duke of York, 110; objects to Charles's expedients for protecting protestantism, 112; endeavours to embarrass the king, that he and Monmouth may be placed at the head of the administration, 117; the habeas corpus act passed chiefly through his exertions, 119; he hopes to acquire ascendancy through Monmouth's influence, 137; threatens Essex and Halifax for advising the prorogation of parliament, *ibid.*; superseded by Robertes as president of the council, 142; nicknamed by the king, 'Little Sincerity,' *ibid.*, *note*; promotes jealousies against the catholics, 144; petitions for the sitting of parliament, 147; proceeds against the duke of York as a recusant, 151; Dangerfield employed to assassinate him, 154; engages the duchess of Portsmouth against the duke of York, 161; proposes a bill of divorce, 172; committed to the Tower on a charge of suborning witnesses against the queen, &c., 220; indictment ignored, 221; addresses against his project of association, 239; he leaves England, and dies shortly after at Amsterdam, 243.

Sharp, sent to London to defend the rights of the Kirk, accepts the archbishopric of St. Andrew's, vii. 390;

- attack made on his life by Mitchell, a covenant, 603; he is murdered by Russell and other fanatics, viii. 124.
- Shaw, Dr., employed by Gloucester to preach against the legitimacy of the children of Edward IV. iii. 576.
- Ship-money, plan for raising that tax proposed by Noy, vi. 327; Charles makes sir J. Finch lord chief justice, that he may prevail upon the courts to declare the tax legal, 329; it is opposed by Hampden, who refuses to pay his assessment, 331; the matter discussed by the judges, *ibid*.
- Shore, Jane, mistress of Edward IV. her history, iii. 375; her penance, 376.
- Shrewsbury, Robert de Belesme, earl of, his character, i. 497; revolts against Henry I. *ibid*; is banished, 498; imprisoned for life in Wareham castle, 504.
- , earl of, Mary, queen of Scots, committed to his custody, and he is made to engage that she shall be put to death on the first attempt to rescue her, v. 309; appointed lord high steward on Norfolk's trial, 325.
- , earl of, mortally wounded in a duel with the duke of Buckingham, vii. 492; his wife reported to have held the duke's horse at the time, in the dress of a page, *ibid*, note; a pension granted her by Louis XIV. 522.
- Sicily, bestowed by Innocent IV. on Edmund, second son of Henry III. ii. 312; claimed by Manfred for his nephew Conradine, 313; conquered by Charles of Anjou, 316; seized from him by Peter of Arragon, 403; recovered from Peter's son, James, by Charles, 404.
- Simmel, Lambert, presented to the lord deputy of Ireland as Richard Plantagenet, earl of Warwick, iii. 617; proclaimed as Edward VI. 618; joined by the earl of Lincoln, 619; lands in Furness, 620; defeated at the battle of Stoke, 621; pardoned, and made a scullion in the royal kitchen, 622.
- Skelton, ambassador from James II. to the States, offends both them and the prince of Orange, viii. 423; recalled from Paris by James, for ceding to Louis's proposal of an alliance against Holland, and committed to the Tower, 461; is made governor of the Tower on the removal of sir Edw. Hales, 489.
- Skinner, Thomas, prefers a complaint against the East India Company, vii. 493; petitions the lords for redress, 494; dispute between the two houses arising from this case, *ibid*, 502.
- Slaves, condition of, among the Anglo-Saxons, i. 371; different classes of, 372; manumission of, 374; trade in, 375.
- Slingsby, sir H., tried and condemned for attempting to corrupt the fidelity of the garrison at Hull, vii. 261.
- Somerset, duke of, surrenders Rouen and the rest of Normandy to Charles VII. iii. 454; returns from France, and is received into favour by Henry VI. 469; imprisoned in order to satisfy the duke of York, 471; liberated, 476; slain at the battle of St. Alban's, 478.
- , duke of, his lands restored by Edward IV. iii. 507; routed at the battle of Hexham, taken, and beheaded, 509.
- , duke of, takes sanctuary in the church after the battle of Tewksbury, and is put to death, iii. 541.
- Somerset, Edward Seymour, duke of (earl of Hertford), appointed protector, and guardian to Edward VI. iv. 371; removes the earl of Southampton from the chancellorship, 376; is made independent of the council, 377; concludes treaties with the murderers of cardinal Bethune, and plans a marriage between Edward VI. and the young queen of Scots, 380; invades Scotland, 382; defeats the Scots at Pinkey, and returns to England, 383; signs the warrant for his brother's (sir T. Seymour) execution, 404; his address to the Scots, 406; seeks to make peace with Scotland, but foiled by the council, 416; his conduct excites enmity, 418; a party formed against him by Warwick, 419; abandoned by his secretary, *ibid*; accused and sent to the Tower, 420; charges brought against him, 423; his submissive acknowledgment, 424; liberated, *ibid*; fresh dissensions between him and Warwick, 446; he is arrested, with many of his friends, 449; depositions against him, 451; his trial, 452; condemned, *ibid*; executed, 453.
- , Carr, earl of, accidentally introduced to the notice of James I. while a youth, vi. 100; the king's attachment to him, 101; made viscount Rochester, *ibid*; employs sir T. Overbury as his assistant in public business, 102; marries Frances Howard, the divorced countess of Essex, 105; succeeds Suffolk as chamberlain, 107; his influence declines on Villiers being taken into the king's favour, and he is arrested on suspicion of being accessory to the death of Overbury, 109; endeavours to escape a trial, 113; is convicted, but pardoned, 114; his petition to Charles for the recovery of his property refused, 115.
- , duke of, refuses to introduce the papal nuncio at court, in the reign of James II. viii. 410.
- Southampton, earl of, the command of the cavalry in Ireland bestowed on him by Essex, contrary to Elizabeth's command, v. 571; made prisoner with him, 583; his trial, 584; defence, 586; is reprieved, after Essex's execution, but detained in the Tower, 593; liberated and restored to his estates by James, vi. 6.
- Southwold Bay, battle of, in which the duke of York defeats the Dutch fleet under De Ruyter, vii. 535.
- Southworth, a catholic clergyman, executed by Cromwell, vii. 163.
- Spenser, Hugh, account of, ii. 524; banished with his son, 525; returns, 527; created earl of Winchester, 531; surrenders Bristol to Isabella, queen of Edward II. 543; is executed, *ibid*.
- , Hugh, son of the preceding, marries the daughter of the earl of Gloucester, ii. 523; claims the estate of John de Mowbray as forfeit to him, and thereby excites the enmity of the lords of the marches, 524; the earl of Lancaster demands from Edward II. the banishment of the Spensers, 525; Spenser returns from banishment, and appeals against his sentence, 527; his petition granted, 531; arrested by the earl of Leicester, 544; executed, 545.
- , Henry, bishop of Norwich, puts down the insurgents in the reign of Richard II. iii. 183; engages to serve against France, and takes Gravelines and Dunkirk, 188; on his return is accused in parliament of having been bribed by France, 189.
- , lady, liberates the young earl of March and his brother, in the reign of Henry IV. iii. 294.
- Squires, a soldier, executed for a pretended attempt to poison queen Elizabeth, v. 557.

- Stafford, Thomas, grandson of the duke of Buckingham, lands at Scarborough, and publishes a proclamation against queen Mary, v. 119; surrenders to the earl of Westmoreland, *ibid.*
- , Thomas Howard, viscount, committed to the Tower with lords Powis, Petre, Arundel, and Belasyse, viii. 65; his trial, 172; his defence, 178; is condemned, 182; his speech to the house of lords, 185; the sheriffs object to the warrant for his execution, 187; his execution, 189; his attainder reversed, 318.
- Stamford, earl of, escapes trial for his share in Monmouth's rebellion, by the prerogative of parliament, viii. 362.
- Stanley, lord, father-in-law to the earl of Richmond (Henry VII.), favours shown to, and mistrust entertained of, him by Richard III. iii. 597.
- , sir W. executed for abetting the designs of Perkin Warbeck, iii. 641.
- Star-chamber, jurisdiction of, v. 623; trials in the reign of Charles I. vi. 315.
- Stayley, a catholic banker, tried and executed on a charge of treason connected with Oates' plot, viii. 82.
- Steelyard, merchants of, or Easterlings, suppressed by Mary, v. 139.
- Stephen, king, his pretensions to the crown, ii. 3; his coronation, 4; his character, 5; his concessions to the prelates and barons, 6; opposes the invasion of David of Scotland, 7; the latter defeated in the battle of the Standard, 11; Stephen imprisons the bishops of Sarum, Lincoln, and Ely, 13; permits Matilda to proceed to Bristol, 17; made prisoner at the battle of Lincoln, 19; his brother Henry espouses and openly defends the cause of Matilda, *ibid.*; Stephen released after Matilda's flight from Winchester, 25; he besieges her in Oxford, 26; quarrels with the barons and clergy, 28; adopts prince Henry, Matilda's son, as his successor, 29; his death, 31; calamities in his reign, *ibid.*
- Stigand, archbishop of Canterbury, his character, i. 308; abandons the cause of Edgar, and swears fealty to William the Conqueror, 384.
- Storey, Dr., Bonner's assessor, history of, v. 645; inveigled over from Flanders, and tried and executed for treason, 646.
- Strafford, Thomas Wentworth, earl of, succeeds lord Falkland as governor of Ireland, vi. 335; designs to claim Connaught for the crown, 340; brings Mountnorris to trial, 342; defends himself, before the king, from the charge of despotic measures, 343; created earl of Strafford, 368; impeached of high treason, 385; his trial, 392; charges brought against him, 394; bill of attainder passed against him by the commons, 396; his defence, 397; Charles' efforts to save him, 399; Strafford's letter to him, 402; plan proposed by the king to save his life, 404, *note*; his execution, 404.
- Stratford, archbishop of Canterbury, accused by Edward III. of having intercepted the supplies, iii. 36; refused admission to the parliament, 37.
- Straw, Jack, a priest, a leader of the insurgents in Wat Tyler's rebellion, iii. 176.
- Strongbow, Richard, earl of Strigul, engages to assist Dermot, king of Leinster, ii. 103; arrives in Ireland, 105; marries Dermot's daughter, and succeeds him, 105; yields up Dublin, &c. to Henry II. 106; his death, 110.
- Stuart, lord James, natural brother to Mary of Scots, appointed by her one of her chief ministers, v. 211; created earl of Murray, 215. See *Murray*.
- , lady Arabella, cousin to James I. he proposes to marry her to the duke of Lennox, and acknowledge him as his presumptive heir, v. 559; plan to marry her to the cardinal Farnese, and support her pretensions to the throne on the death of Elizabeth, 604; placed in custody by Cecil, vi. 3; a pension granted to her by James, 94; privately married to William Seymour, 95; her husband sent to the Tower, and herself committed to the custody of sir T. Parry, *ibid.*; attempts to escape, but is detected and imprisoned in the Tower, where she dies insane, 96.
- Suffolk, Michael de la Pole, earl of, chancellor in the reign of Richard II. impeached, iii. 208; escapes to France, 215; dies at Paris, 219.
- , William de la Pole, earl of, succeeds the earl of Salisbury as commander at the siege of Orleans, iii. 407; besieged in Jargeau, 414; made prisoner, *ibid.*; negotiates the marriage of Henry VI. and Margaret of Anjou, 447; created duke, 448; charges against him, *ibid.*; impeached, 460; banished, 461; captured at sea, 463; and executed, *ibid.*
- , Edmund, earl of, second son of William, duke of, takes shelter at the court of his aunt Margaret, duchess of Burgundy, iii. 663; settles in the dominions of the archduke Philip, 664; given up by him to Henry VII. *ibid.*; sent to the Tower, *ibid.*
- , Brandon, duke of, conducts Mary, sister of Henry VIII. and bride of Louis XII. to France, iv. 35; marries her after the death of Louis, 37; invades France, 76; disbands his army, 78.
- , the marquis of Dorset (father of lady Jane Gray), made duke of, iv. 468; endeavours to excite a rebellion in Warwickshire, and is pursued by the earl of Huntingdon, v. 46; imprisoned, *ibid.*; he and his brother, sir Thomas Gray, executed, 56.
- , earl of, lord treasurer in the reign of James I. and Somerset's father-in-law, tried for peculation, vi. 159.
- Sully, duke of, sent by Henry IV. as ambassador to James I. vi. 7.
- Sumptuary laws, in the reign of Edward IV. iii. 511, *note*.
- Sunderland, earl of, succeeds Williamson as second secretary of state, viii. 108; assists in forming the new council in 1679, *ibid.*; espouses the interests of the prince of Orange, 159; attempts to overcome Charles's opposition to the bill of exclusion, 192; he with Essex and Temple dismissed from office, 216; is reconciled with the duke of York, 241; obtains a place in the cabinet on James's accession, 298; forms a secret cabal with catholics against Rochester, 299; advocates James's projects, 354; made president of the council on Halifax's removal, 363; obtains a pension from Louis XIV. for opposing an alliance against France, 366; pretends to be converted to catholicism, 413; as does lord Spenser, his eldest son, *ibid.*, *note*; dissuades James from requiring the arrest of suspected persons, 473; is removed from office, 474; publishes a vindication of his conduct in 1689, 518.

- Surrey, earl of, he and his son, lord Thomas Howard, advance against the Scots, iv. 27; gain the battle of Flodden, in which James IV. is slain, 30; created duke of Norfolk, 33.
- (see *Howard, lord Thomas*), Charles V. gives him the command of his fleet on his departure from England, iv. 68; he succeeds the earl of Kildare in Ireland, *ibid.*; heads an expedition against France, 69; marches into Scotland to oppose the regent Albany, 74; Albany abandons the war, 76; accused of aspiring to the hand of the princess Mary, 349; arrested, 350; executed, 352; specimen of his poetry, *ibid.*, *note*.
- Sussex, earl of, lord deputy of Ireland, recovers two districts, which he forms into King's and Queen's county, v. 141; one of the commissioners to adjudge the cause between Mary of Scots and the regent Murray, 270; sent against the insurgents under Westmoreland and Northumberland, 291; enters Scotland, 293.
- Sweating-sickness, in the reign of Henry VII. iii. 606.
- Sweyn, king of Denmark, in conjunction with Olave, invades England, i. 254; his indignation at the departure of his ally, 255; death of his sister Gunhilda, 258, revenges the massacre of the Danes in England, 259; his last invasion for the conquest of England, 365; devastations committed by him, *ibid.*; proclaims himself king, 266; his death, *ibid.*; succeeded by his son Canute, *ibid.*, see *Canute*.
- , son of earl Godwin, outlawed by Edward the Confessor, ii. 301; murders his cousin Beorn, 302; pardoned by Edward, *ibid.*; rebels, with his father and brother, 304; banished, 305; his pilgrimage and penance, 307.
- Sydney, Algernon, son of the earl of Leicester, offers his services to the Dutch, vii. 450; obtains assistance from Louis XIV. to enable his party to oppose the government, 457; is one of the leaders in the Rye-house plot, viii. 248; imprisoned in the Tower with lord Russell and Wildman, 249; his trial, 261; execution, 268; character and public life, 269.
- , (afterwards earl of Romney), forms an association, who invite over the prince of Orange, viii. 454.
- Syndercombe, Miles, employed by colonel Sexby to assassinate Cromwell, vii. 244; tried and condemned, but found dead in his bed, 245.
- Taafe, lord, sent by Ormond to solicit aid from the duke of Lorraine, vii. 92.
- Tallages, claimed by the popes from the English clergy, ii. 306.
- Tanistry, Irish law of, explained, ii. 94.
- Taxation, direct, origin of, i. 263.
- Taxes; capitation tax, in the reign of Richard II. iii. 172.
- Templars, order of, abolished by Philip le Bel, ii. 553.
- Temple, sir Richard, a concealed royalist, demands that the Scotch and Irish members, &c., withdraw, in Richard Cromwell's parliament, vii. 292.
- , sir W., sent to the Hague, to propose that the States should unite with England and Spain against France, vii. 489; recalled after negotiating the triple alliance, 529; concludes a treaty at the Hague, between England and the States, against France, viii. 42; sent to Nimeguen to guarantee certain places to Sweden, 43, *note*; recalled by Charles to succeed Coventry as minister of state, 107; suggests the plan of a new council, *ibid.*
- Terouanne, besieged by Henry VIII. iv. 21.
- Test act, brought forward by Arlington, vii. 549.
- Theobald, archbishop of Canterbury, exiled by Stephen, ii. 28; enjoys the favour of Henry II. 43; recommends Thomas Becket to him, 45.
- Throckmorton, sir Nicholas, tried as an accomplice in the duke of Suffolk's rebellion, and acquitted, v. 55; is ambassador at the court of France, and aids Arran's escape to England, 169; urges Mary to ratify the treaty with Elizabeth, 186; excites by his intrigues a civil war in France, 199; imprisoned in the castle of St. Germain, 210; liberated, *ibid.*; sent as envoy to Scotland, where he instigates the lords to rebel against Mary, 218; is eager to promote a marriage between Mary and Norfolk, 283.
- , Francis, son of sir John, apprehended and tried for a conspiracy to assist the foreign catholics to invade England, for the purpose of liberating Mary of Scots, v. 404; executed, 405.
- Thurloe, Cromwell's secretary, threatened with an impeachment, after the protector's death, vii. 293; purchases the forbearance of his enemies, by furnishing Willis with intelligence, 305.
- Thurston, archbishop of York, excites the barons to repel the Scots, ii. 10.
- Thwinge, sir Robert, heads a secret association to oppose the papal power, in the reign of Henry III. ii. 309.
- , Mr., sir T. Gascoign's nephew, executed for treason, viii. 157.
- Tonge, Dr., his publications against the jesuits, viii. 48; employs the celebrated Titus Oates to forge a plot of the jesuits, 49; presents a copy of the plot to the king, 50.
- Torture, instruments of, used in the Tower, v. 650.
- Tory, origin of the name, vii. 105, *note*; viii. 152.
- Tostig, earl of Northumberland, brother to Harold II. invades England, i. 324; joined by Harold Hardrada, king of Norway, 325; battle of Stamford-bridge, 326; he and his ally are slain, 327; marries Judith, the daughter of Baldwin, earl of Flanders, *ibid.*, *note*.
- Tournay, besieged by Edward III. iii. 34; surrenders to Henry VIII. iv. 31.
- Traquair, earl of, left by the other ministers to manage the affairs of Scotland, vi. 350; surrenders Dalkeith to the covenanters, 360; Charles dissatisfied with his conduct, 365, *note*.
- Traylebaton, justices of, ii. 475.
- Treasons, statute of, iii. 115.
- Treasurer, lord high, office of, abolished by James II. viii. 383.
- Tresham, Francis, joins Catesby's conspiracy, vi. 44; provides a ship to convey Guy Fawkes to Flanders, on the execution of the plot, 45; treats that his brother-in-law, lord Mountague, may be warned of the danger, 48; sends an anonymous letter to him, 49; doubts entertained of him by his companions, 51; writes to the earl of Salisbury, exculpating Garnet, 61, *note*; his declaration before his death, 666.
- Tressilian, sir Robert, accused with the archbishop of York, duke of Ireland, &c. of treason, iii. 215; executed, 219.

- Trial by ordeal, ii. 139; by wager of battle, 141; in the court of chivalry, 142; by grand assize, 143.
- Triple alliance, the, vii. 488.
- Tunstal, bishop of Durham, prosecution of, on a charge of insurrection, iv. 459.
- Turberville, one of the witnesses against lord Stafford, account of, viii. 177; the prisoner's objection to his evidence, 180.
- Turenne, commands the allied army against the Spaniards and the duke of York, vii. 250; defeats Don Juan and the duke, 264.
- Turketul, chancellor, charges the Scots at the battle of Brunanburgh, i. 216; account of him, 227; restores the abbey of Croyland, of which he becomes abbot, 238.
- Turner, sir James, sent into the West of Scotland to levy fines, &c. among the covenanters, vii. 468; he is made prisoner by the insurgents, *ibid*.
- Tweedale, earl of, succeeds Rothes, as high commissioner of Scotland, vii. 474; offers the 'indulgence' to the clergy, 603.
- Tyler, Wat, heads the rebellion in the reign of Richard II. i. 177; killed by Walworth, the lord mayor, 182.
- Tyndal, William, prints his version of the Bible in the Netherlands, iv. 272; archbishop Warham orders all copies of it to be given up, *ibid*.
- Tyrconnel, Richard Talbot, earl of, informed against by Oates, viii. 65; appointed lieutenant-general of Ireland by James II. 394; is made lord deputy on Clarendon's being recalled, 395; aims at rendering Ireland independent of England, in the event of the prince of Orange's succeeding to the crown, *ibid*.; solicits permission to hold a parliament, but is refused by James, who is taught to suspect his measures, 396; Bonrepaus' letter explaining Tyrconnel's plans, 517.
- Tyrene, Hugh, the son of the baron Dungannon, created earl of, by Elizabeth, v. 569; proclaims himself the O'Nial, and rebels against the English, *ibid*.; defeats them, 570; Essex sent against him, 571; they enter into a truce, 573; he is carried by Mountjoy to England, vi. 136; returns to Ireland, and afterwards escapes to the continent, 140.
- Tythings, i. 358.
- Valence, Aymer de, earl of Pembroke, see *Pembroke*.
- Valenciennes, besieged and taken by Louis XIV. viii. 15.
- Vane, sir H. junior, attaches himself to Pym's party, vi. 380; purloins from his father's cabinet an important document, furnishing the grounds of a charge against Strafford, 394; solicits the aid of a Scottish army, 464; his abilities, vii. 371; brought to trial after the restoration, *ibid*.; his undaunted demeanour at the bar, 372; executed on Tower-hill, 373.
- Van Nesse, Dutch admiral, defeats sir Robert Holmes, vii. 530.
- Van Tromp, Dutch admiral, he and De Wit defeat the Spanish fleet, vi. 366; his rencontre with Blake in the Downs, vii. 118; his fleet dispersed by a storm, 121; resigns his commission, 122; takes the command again and obtains a victory over Blake, 123; is defeated by him 124; cannonades Dover, 168; killed in an engagement with Monk in the Texel, 171; escapes with the remainder of the fleet, after
- Opdam's vessel blows up, in the engagement of June 3, 1665, vii. 440.
- Vatteville, Spanish ambassador, opposes Charles II.'s marriage with Catherine of Braganza, vii. 409; proposes to him a protestant princess, 410; forcibly takes precedence of the French ambassador, at the public entry of the Venetian ambassador, 412.
- Vaudois, see *Piedmont*.
- Udal, a puritan minister, imprisoned for writing the "Demonstration of Discipline," and dies in confinement, v. 518.
- Venables, admiral, his expedition to the West Indies, vii. 199; fails in his attack on Hispaniola, but takes Jamaica, 200.
- Venice, state of, at the commencement of the sixteenth century, iv. 10; league of Cambray formed against, 11; Julius II. consents to a peace, 12.
- Venner, a fanatical wine-cooper, excites an insurrection in London, at the beginning of the reign of Charles II. vii. 365.
- Uhtred, earl of Northumbria, son-in-law to Ethelred, murdered by Thurebrand, the Dane, i. 270; account of, *ibid*, note.
- Villeins, the charters of emancipation granted them by Richard II. repealed by parliament, iii. 184.
- Unitarians, their origin in England, vii. 188, note; burnt for heresy in the reign of James I. vi. 156.
- Vorstius, succeeds Arminius in his professorship at Leyden, vi. 122; Winwood, the English ambassador, accuses him to the States of impiety, and James I. *ibid*.; James publishes a "Declaration" against him, 124; he is ordered to quit Leyden, and refute the doctrines imputed to him, *ibid*.; his writings condemned by the synod of Dort, 125.
- Vortigern, invites over the Saxon chiefs, Hengist and Horsa, i. 68.
- Urien, British chief, i. 76.
- Usher, archbishop, summons a synod, which publishes a declaration against the toleration of catholicism, vi. 383; commanded by Wentworth, the lord deputy of Ireland, to frame a canon authorizing the articles of the English church, 337; his plan of episcopal government proposed to be adopted at the restoration, vii. 363.
- Wager of battle, i. 435; trial by, ii. 141; in the court of chivalry, 142.
- Wagstaffe, sir Joseph, heads the royalist insurgents, and proclaims Charles II. at Salisbury, vii. 192; surrenders, 193.
- Walcher, bishop of Durham, slain in a tumult, i. 442.
- Wales:—Tewdric defeats Ceolwulf, king of Wessex, i. 138; Wales rendered subject to Mercia, 155; Griffith joins the rebel Alfigar and plunders Hereford, 312; Harold's conquests in Wales, 313; incursions of the Welsh in the reign of Rufus, 479; rebellion in the reign of Stephen, ii. 7; in that of Henry II. 73; Llewellyn, brother-in-law to Henry III. makes incursions into England, 296; his son David offers to hold his principality of the pope, *ibid*.; David succeeded by the sons of his brother Griffith, who acknowledge themselves vassals of England, 297.
- Wallace, William, account of, ii. 429; heads the Scots outlaws and insurgents, 430; defeats earl Warenne, 432; assumes the title of guardian of Scotland, and summons a parliament at Perth, 433; defeated by

- Edward III. at Falkirk, *ibid*; becomes a fugitive, 435; betrayed to Edward by sir John Monteith, and executed, 446; estimate of his character and actions, 447.
- Waller, Edmund, (the poet) forms a plot to unite Charles I. and his parliament, vi. 458; he is apprehended, 459; saves his life by his submission, but is heavily fined, 460.
- , sir William, account of, vi. 461; defeated by lord Wilmoit, 462.
- Walloons, five hundred families of, settle in Ireland, vii. 612.
- Walls, Roman, i. 39; Hadrian's, 40; Antoninus', *ibid*. Severus', 44.
- Walters, Lucy, mother of the duke of Monmouth, dismissed by Charles II. and shortens her life by her profligacy, vii. 212.
- Waltheof, earl, defends York against the Conqueror, i. 404; enters into a conspiracy against him, 440; betrayed by his wife, 441; executed, *ibid*.
- Walworth, mayor of London, kills Wat Tyler, iii. 182.
- Wakefield, battle of, the Yorkists defeated by the Lancastrians, and the duke of York slain, iii. 493.
- Wakeman, sir G., physician to the queen of Charles II. tried for conspiracy, viii. 134; he and his companions acquitted, 135.
- Warbeck, Perkin, lands at Cork, and gives himself out, as Richard, duke of York, second son of Edward IV. iii. 637; the earl of Desmond declares in his favour, 638; he is acknowledged in France and received by the duchess of Burgundy, *ibid*; his parentage, 639; Henry VII. endeavours to obtain possession of him, *ibid*; he is betrayed by his associates, 640; several of his partisans executed, 641; attempts to land near Deal, 643; returns to Flanders, *ibid*; is received in Scotland by James IV. 645; marries lady Catherine Gordon, *ibid*; invades England, 646; James makes peace with England, and Warbeck retires to Cork, 649; lands in Cornwall, *ibid*; advances against Henry, but flees from battle to the sanctuary at Beaulieu, 650; his submission, 651; escapes, is retaken, and reads his confession publicly, *ibid*; committed to the Tower, 652; executed, 654; the question argued as to his being really the duke of York or an impostor, 679.
- Wardships, establishment and nature of, i. 432.
- Wareme, earl, escapes with Henry III.'s brothers at the battle of Lewes, ii. 342; defeated by Wallace, 432.
- Warham, archbishop of Canterbury, resigns the chancellorship, and is succeeded by Wolsey, iv. 46.
- Warner, sir John, turns catholic and becomes confessor to James II. viii. 410, *note*.
- Warwick, earl of, succeeds the duke of Exeter as guardian to Henry VI. iii. 434.
- , earl of, surnamed the *King-maker*, the custody of the sea bestowed on him by Henry VI. iii. 482; captures part of the Lubeck fleet, 483; retires to Calais, 485; superseded by the dukes of Exeter and Somerset, 486; lands with an army in Kent, 487; takes the king prisoner and conducts him to London, 488; defeated by the queen at St. Alban's, 494; gains the battle of Towton, which secures the crown to Edward IV. 502; besieges sir Ralph Gray in Bamborough castle, 509; his brother, lord Montague, made earl of Northumberland, 511; his discontent at the favour shown by Edward to his queen's family, 516; his brother George, bishop of Exeter, promoted to the see of York, *ibid*; the earl's hospitality, *ibid*, *note*; he is sent to treat with Louis XI. at Rouen, 517; suspected of being attached to the Lancastrians, 518; reason of his irritation against Edward, 519, *note*; his daughter, Isabella, marries the duke of Clarence, 520; he and Clarence detain Edward a prisoner, 524; they flee after the defeat of the insurgents at the battle of Erpingham, 529; are received by Louis XI. 530; Warwick's daughter, Anne, married to prince Edward, son of Henry VI. 531; restores Henry, 534; slain at the battle of Barnet, 539.
- Warwick, Edward Plantagenet, son to the duke of Clarence, created earl of, by Edward IV. iii. 605; imprisoned in the Tower by Henry VII. *ibid*; personated by Lambert Simmel, 616; and again by Ralph Wulford, 652; arraigned and executed, 654.
- , Dudley, viscount Lisle, created earl of, iv. 373; accompanies the protector, Somerset, in his expedition against Scotland, 382; defeats the insurgents in Ket's rebellion, 415; becomes the head of a party against Somerset, 418; forbids obedience to him, 419; accuses him of misdemeanours, 420; opposes the restoring any authority to the episcopal courts, 423; made lord high admiral, 425; his eldest son marries Somerset's daughter, Anne, 446; fresh dissensions between him and Somerset, *ibid*; their reconciliation, 447; he procures the general wardenship of the Scottish marches, 449; created duke of Northumberland, *ibid*; Somerset and his friends arrested, 450. See *Northumberland*.
- Waterford, the synod of, condemns the secret treaty concluded by Glamorgan, vi. 562.
- Watson, catholic missionary, writes in favour of James I.'s succession to the throne, but is neglected by him, and induced to enter into a plot to wrest from him concessions in favour of the catholics, vi. 11; is apprehended, 12; and executed, 16.
- Welles, sir Robert, heads an insurrection against Edward IV. and is killed at the battle of Erpingham, iii. 527.
- Wessex, kingdom of, founded by Cerdic, i. 72; Cuichelin and Cynegils attempt to assassinate Edwin, king of Northumbria, 90, 139; Coinwalch dethroned by Penda, 140; battle of Wodensburg, 125; the king of Wessex rendered tributary to Mercia, 127; the Mercians defeated by Cuthred, *ibid*; kings, Ceolric, Ceolwulf, 138; Cynegils, and Cuichelm, 139; battle at Cirencester against Penda, 140; Coinwalch, *ibid*; he abjures paganism, *ibid*; defeats the Britons, *ibid*; Sexburga, his widow, 141; an aristocracy formed, *ibid*; Ceutwin, 142; Cæadwalla, *ibid*; his conquests, 143; takes the Isle of Wight, *ibid*; Ina, 145; his code of laws, *ibid*; dies at Rome, 148; Æthelheard, 149; Cuthred, *ibid*; the independence of Wessex secured by him, 150; Sigeyrht, *ibid*; Cynewulf, *ibid*; he is murdered by Cyneheard, Sigeyrht's brother, 151; Brihtric, 152; Egbert, 153; he subdues the Britons, 154; and Mercia and Northumbria, 155; invasions of the Danes, 157; Egbert's death, *ibid*; Æthelwulf, 158; division of his dominion among his sons, 163; Æthelbald, 164; Æthelbert, 165; Æthelred, 167; Wessex invaded by the Danes, 171; Alfred the Great, 173; Edward, 203.

- West Indies, Penn and Venables' expedition against Hispaniola, vii. 199; its failure, 200; Jamaica ceded to the English, *ibid.*
- Westmoreland, earl of, brother-in-law to the duke of Norfolk, joins the earl of Northumberland in attempting to liberate Mary, queen of Scots, and exciting an insurrection in her favour, v. 290; they take possession of Hartlepool, and solicit the aid of the catholic gentry, 292; they flee into Scotland, 293; Westmoreland and some of his followers escape to the continent, 294.
- Westminster, church of, built by Edward the Confessor, i. 320.
- Weston, sir Richard, chancellor of the exchequer, made earl of Portland, vi. 295; denounced by sir J. Elliot, as an enemy to the commonwealth, 296.
- Wexford, massacre at, by Cromwell's troops, vii. 30.
- Weyland, chief justice of king's bench, in the reign of Edward I. abjures the realm, ii. 473; the option given to him to do so, or stand his trial, 474, *note*.
- Wharton, lord, one of the four lords committed to the Tower, in 1677, viii. 11.
- Wheat, price of, in 1258, ii. 324, *note*.
- Whig, the name first bestowed on the covenanters, vii. 469; viii. 152; that and the term 'Tory' adopted by the respective parties, *ibid.*
- White, Thomas, a secular clergyman, publishes the "Grounds of Obedience and Government," vii. 25.
- Whitelock, appointed one of the commissioners of the great seal, after the death of Charles I. vii. 4; advises Cromwell to place Charles on the throne, but to retain the chief power himself, 129.
- Whitgift, archbishop, prepares three articles as a test of orthodoxy, v. 370.
- Wickham, William, bishop of Winchester. See *Winchester*.
- Wight, Isle of, conquered by Cædwalla, king of Wessex, i. 143; the brothers of Oswald put to death by him, 144.
- Wilfrid, bishop of York, i. 112; deposed by archbishop Theodore, 113; restored by Alfrid, 116; assists Cædwalla, the banished prince of Wessex, 142; receives from him a grant of land, in the Isle of Wight, 143.
- William I. (see *Normandy, William, duke of*), account of his father, Robert II. i. 380; William's birth, &c. 381; marches to Dover after the battle of Hastings, 382; burns the suburbs of London, 384; tumult at his coronation, 385; measures adopted by him for the protection of the English, 387; his kindness towards Edgar Etheling, 388; rewards his officers, *ibid.*; returns to Normandy, 390; insurrections of the English, 393; William returns to England, 396; reduces Exeter, 397; Edwin's rebellion, 398; William lays siege to and pillages York, 401; Danish invaders, *ibid.*; William takes York by assault, and lays waste Yorkshire and Durham, 404; Malcolm ravages the north of England, 407; William bestows all places of trust on the Normans, 408; besieges Herewood, 415; and takes Ely, 416; subdues Scotland, 417; his riches, 420; favours the Normans, 421; rebellion of the Norman barons, 440; imprisons his brother Odo, 443; frustrates Canute's projected invasion, 444; war between him and his son Robert, 445; William invades France, 447; his last illness, 448; death, 449; funeral, *ibid.*; character, 450; attachment to the chace, 451, 452; the New Forest formed by him, 453; his regard for religion and the church, *ibid.*; his conduct in ecclesiastical matters, 454; famine and pestilence during his reign, 456.
- William Rufus, advised by his father, on his death-bed, to repair to England, i. 458; chosen king, 459; imprisons Morcar, &c. *ibid.*; conspiracy formed against him, 460; he banishes Odo, *ibid.*; invades Normandy, 461; attempt upon Rouen, 463; makes peace with his brother Robert, 464; renews the war in Normandy, 465; opposed in Le Maine, 468; war with Scotland, 469; Malcolm's submission, *ibid.*; William attempts to repel the Welsh, 474; Mowbray's rebellion, 475; William's rapacity, *ibid.*; conspiracy against him, 476; keeps the bishoprics vacant, 477; compels Anselm to accept the see of Canterbury, 478; his debaucheries, 479; persecutes Anselm, 480; is reconciled with him, 483; is killed in the New Forest, 485; his character, 486; build-ings, 487.
- , son of Robert of Normandy, protected from Henry I. by his uncle Helic de St. Saen, i. 503; by Fulk of Anjou, 504; who gives him the earldom of Maris, 511; marries Louis' sister-in-law, and made earl of Flanders, 513; his death, 517.
- , eldest son of Henry I. shipwrecked with his sister, i. 509; his vicious character, 511.
- , II. of Sicily, marries Joan, daughter of Henry ii. 155; his bequests to Henry, *ibid.*
- , Longsword, natural son of Henry II. ii. 156.
- , king of Scotland, joins prince Henry, son of Henry II. in his attempt to obtain the kingdom, ii. 119; taken prisoner, and confined in the castle of Falaise, 127; does homage to Henry, 128; is released, *ibid.*
- Williams, bishop of Lincoln, and lord keeper, appointed Bacon's successor in the latter office, vi. 186; threatened with a prosecution by parliament, 220; deprived of the great seal, which is bestowed on sir Thomas Coventry, 245; information filed against him in the star-chamber, 316; fined and imprisoned, 317; made archbishop of York, 423; impeached by the commons, with eleven other prelates, 424.
- Willis, sir Richard, his singular treachery towards Charles II. and singular stipulations with Cromwell, vii. 258; refuses to meet Charles at Calais, 305.
- Willoughby, sir F. governor of Dublin, secures the castle against the insurgents, vi. 431.
- Wilmot, lord, made earl of Rochester, vii. 192. See *Rochester*.
- Winchelsey, Robert de, archbishop of Canterbury, re-sists the exactions of Edward I. from the clergy, and retires to a parsonage, ii. 459; the earls of Hereford and Norfolk act in concert with him, 461; the pri-mate reconciled with Edward, 462.
- Winchester, a monastery, &c. founded by Coinwalch, i. 140; the city sacked by the Northmen, 166; the minster built by Edward, son of Alfred, 209; synod, in 1139, ii. 15; the city besieged by the empress Matilda, 23; plundered and set on fire, 24.
- , Henry, bishop of, brother of king Stephen, ii. 3; summons Stephen before a synod at Winchester, 15; Matilda entrusted to him, 17; joins her, 19; defends his conduct before the synod at Winchester, 25; deprived of his legatine authority, 28.

- Winchester, William Wickham, bishop of, condemned to lose his temporalities, iii. 108.
- , Henry Beaufort, bishop of. See *Beaufort*.
- , the statute of, revived by Edward I. ii. 474.
- Windebank, secretary, impeached by the commons for treason, saves himself by escaping to France, vi. 385.
- Winter, Thomas, arranges a plan for an invasion by the Spaniards, vi. 8; is the first to whom Catesby reveals his designs, 31; expresses his horror of the plot, but is persuaded to enter into it, *ibid.*; repairs to Flanders to consult Velasco, the Spanish ambassador, 32; engages Guy Fawkes as an associate, *ibid.*; his brother Robert joins the conspirators, 38; he is informed of the mysterious letter received by lord Mounteagle, 50; remains with Percy to superintend the operations in London, 52; is made prisoner, on the discovery of the plot, 55; executed with the other conspirators, 56.
- Witenagemot, account of, i. 359; its authority, 360.
- Witt, de, Dutch admiral, he and Van Tromp destroy a Spanish fleet under Aquendo, vi. 366; engagement between him and Blake, vi. 122.
- , pensionary of Holland, takes the command of the fleet and proceeds to the relief of the Dutch merchantmen at Bergen, vii. 449; enters into a negotiation with Louis XIV. 452; vows revenge against the English for burning one hundred and fifty merchantmen, and the town of Brandis, 457; sails with De Ruyter to the Nore, 472; advances up the Thames and Medway, 473; assassinated by the mob in Holland, 555.
- Wolsey, cardinal, his first rise to preferment, iv. 38; named cardinal by Leo X. 42; his power, 46; wealth, 47; character, 48; his foreign politics, 50; his hopes on Henry's aspiring to the imperial crown, 53; resentment towards the duke of Buckingham, 59; arbitrates between Charles V. and Francis I. 63; aspires to the papacy on the death of Leo X. 66; his difficulties in raising money for the war against France, 68; aspires to the papacy on the death of Adrian VI. 79; his attempts to raise money defeated, 86; orders all copies of Luther's writings to be delivered up, 110; goes to France to negotiate with Francis, 127; promises to unite a French princess to Henry, 129; his perplexity with regard to Henry's divorce, and his opposition to his wishes, 139; after the failure of Campeggio's mission, Anne Boleyn becomes his enemy, 158; his disgrace, 159; he retires to Asher, 160; afterwards to Yorkshere, 163; is arrested for treason, 164; his death, 165.
- Worcester, marquis of, see *lord Herbert*.
- Wulford, Ralph, personates Richard Plantagenet, earl of Warwick, iii. 653; taken and executed, *ibid.*
- Wulphere, king of Mercia, i. 123; disastrous close of his reign, 124.
- Wyat, sir Thomas, engages in an insurrection against Mary, at the instigation of the earl of Devonshire, v. 47; defeats the royalists under sir H. Jerningham, 48; endeavours to surprize Ludgate, 51; surrenders to sir Maurice Berkeley, and carried to the Tower, 53; executed, 56.
- Wycliffe, John, history of, iii. 158; attacks the friars, *ibid.*; obtains the wardenship of Canterbury-hall, Oxford, from archbishop Islip, 159; removed by archbishop Langham, *ibid.*; his preferments, 160; he inveighs against the benefited clergy, *ibid.*; is summoned before the primate, 161, 190; petitions parliament, 192; his death, 193; doctrines, 194; his tenets relative to the seven sacraments, 196; to matrimony, *ibid.*; to the doctrine of purgatory, &c., 197; his translation of the bible, *ibid.*
- Yellow Plague, ravages of, in the seventh century, i. 108.
- York, city of, taken by the Northmen in the ninth century, i. 168; besieged and plundered by the Conqueror, 401; taken by the Danes, 402; Edward II. takes refuge from the Scots, who pursue him to the gates, ii. 532.
- , archbishop of, in the reign of Richard II. accused of treason by the duke of Gloucester and his confederates, iii. 215; conceals himself, *ibid.*; accepts a curacy in Flanders, 219, *note*.
- , Scroop, archbishop of, see *Scroop*.
- , George Nevil, archbishop of, brother to the earls of Warwick and Northumberland, raised from the see of Exeter, iii. 516; Edward IV. committed to his custody by Warwick and Clarence, 524; afterwards invites him to an entertainment with a treacherous design, 527; imprisoned by Edward, and his property confiscated, 545.
- , Edmund, duke of, uncle to Richard II. appointed regent during the king's absence in Ireland, iii. 238, 259; espouses the duke of Lancaster's cause, 262.
- , Richard, duke of, obliged to exchange the regency of France for Ireland, iii. 452; returns to England, and conducts himself insolently towards Henry VI. 468; proposed in parliament as heir apparent, 469; made protector in consequence of Henry's imbecility, 475; his authority terminated by the king's recovery, 476; he raises his standard, and defeats the royalists at the battle of St. Alban's, 477; becomes protector a second time, 479; complaints against him on Henry's recovery, 481; condemned to pay a fine to the duchess of Somerset, 482; joins the earl of Salisbury after the battle of Bloreheath, 484; flees to Ireland, 485; claims the crown after the defeat of the Lancastrians, and the king's being made prisoner, 489; objections made by the lords, 491; he is declared heir apparent, 492; is slain at the battle of Wakefield, 493.
- , Edward, duke of, (Edward IV.) son of the preceding, defeats the earl of Pembroke at Mortimer's Cross, iii. 494; Henry VI. orders his arrest, 495; but he proceeds to London, and is proclaimed king, 496. See *Edward IV.*
- , sir Roland, persuades sir W. Stanley to give up the fort of Daventry to Philip as the lawful sovereign, v. 481.
- , James, duke of, son of Charles I. serves under Turenne, vii. 216; appointed by Mazarin captain-general in the army of Italy, 217; commanded by his brother to resign, *ibid.*; and to dismiss sir J. Berkeley, whom he follows to France, *ibid.*; returns to Bruges, *ibid.*; commands the English exiles against the allies under Turenne, 250; repulsed at Mardyke, 263; his gallantry at the battle of the Danes, 264; but is obliged to save himself by flight, 265; it is proposed that he should land in Kent, to aid a general rising of the royalists, 304; prevented by hearing of their being put down, 308; receives a grant of all the lands held in Ireland by the regicides, 401; he privately marries Clarendon's daughter, 403; ceases to visit her, in consequence of imputations

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THE END.

ERRATA.

VOL. IV.

Page 29, line 22, for *sir Edmund Howard*, read *lord Thomas Howard*.

VOL. VII.

— 429, line four from bottom, for *Eendracht*, read *Eendracht*.

VOL. VIII.—INDEX.

— 534, Charles of Anjou, &c. for iii. 316, read ii. 316.

— 555, for *Harsy*, read *Harey*.

— 555, for *Hazeling*, read *Hazelbrig*.

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